

2009

# KEEPING PACE

WITH K-12  
ONLINE  
LEARNING

# An Annual Review of State-Level Policy and Practice

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PEARSON



## Acknowledgements

Online learning continues to grow rapidly, and to evolve in new and different ways. Similarly, *Keeping Pace* has evolved over the years since the report first was conceived. Just as recalling the early days of online learning helps us to contemplate where it is going, remembering and acknowledging the people and organizations that had the foresight to support this research in its early days is worthwhile and appropriate as well.

The first *Keeping Pace* was published in 2004, in response to a request for timely online education policy information by the Colorado Department of Education (CDE). Stevan Kalmon, then of the CDE, was a strong advocate for the project, and helped with raising funds, writing, and guiding the concepts behind the study. The report was originally envisioned as a simple document that would be distributed only to the sponsoring organizations, but Cathy Gunn, then of the North Central Regional Educational Laboratory at Learning Point Associates, recognized the work's larger value and was instrumental in suggesting and overseeing publication and distribution to a wider audience. The four funding organizations in the first year were the CDE, Illinois Virtual High School (IVHS), Learning Point Associates, and Wisconsin Virtual School.

In 2004 *Keeping Pace* reviewed 22 states, and in 2005 expanded to review all 50 states. All subsequent years have continued this national approach. The expansion to review the entire country was largely in response to the vision of Matthew Wicks, then of IVHS. Although IVHS is no longer a sponsor of the report, we are fortunate that Matt has remained part of the *Keeping Pace* team.

The cast of *Keeping Pace* sponsors has evolved every year, with the only common thread being that they are educational organizations that share an interest in online education and believe that it is important that current policy and practice information be available to practitioners and policymakers. Sponsors provide guidance and leadership in planning, research, analysis and writing. *Keeping Pace* benefits from the involvement of these experienced and knowledgeable online learning practitioners and their organizations:

Todd Hitchcock  
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Allison Powell  
International Association for K-12 Online Learning

Mickey Revenaugh  
Connections Academy

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Julie Young  
Florida Virtual School

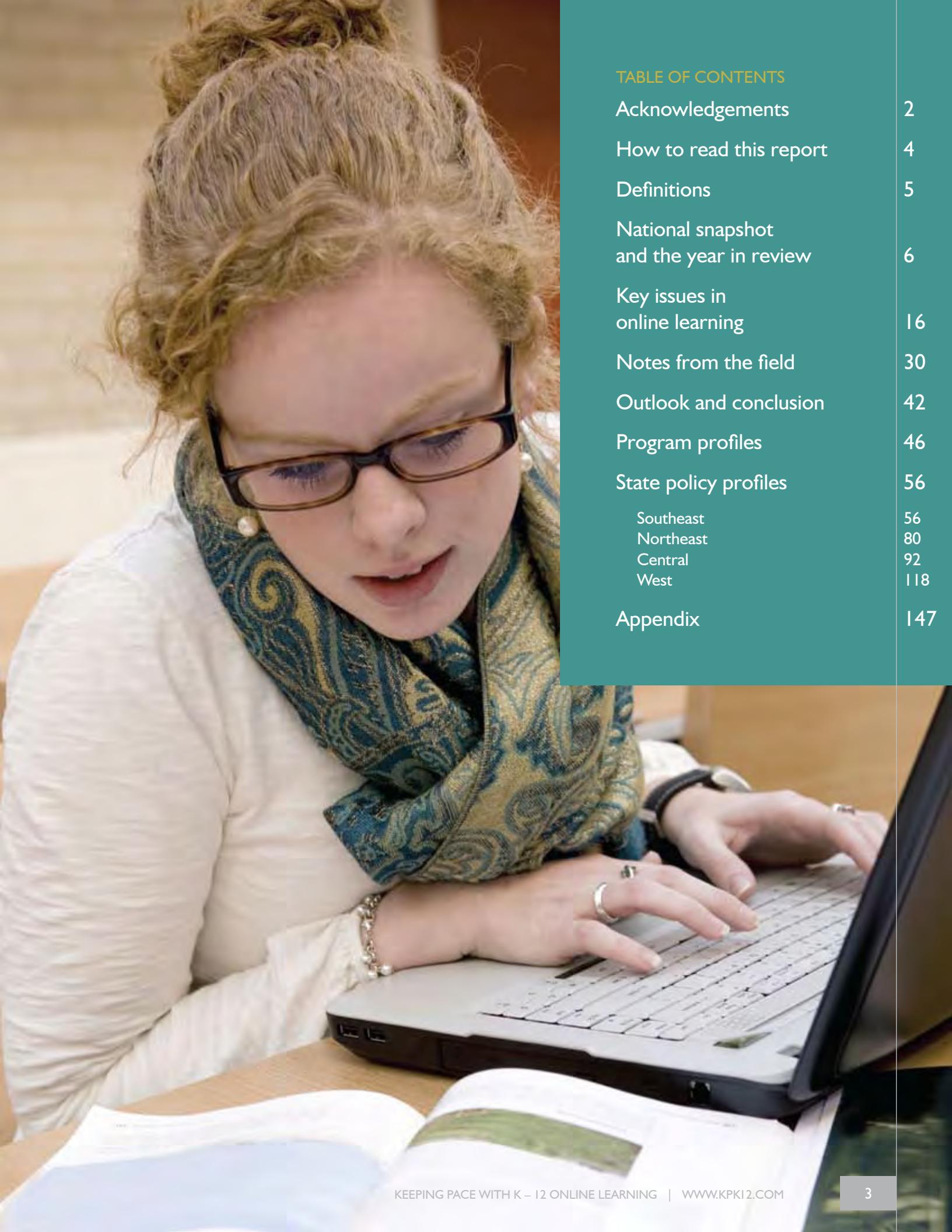
Andy Scantland  
Advanced Academics

Lisa Gillis  
Insight Schools

In 2009 *Keeping Pace* is partnering with the Southern Regional Education Board for the first time, with the two organizations sharing program survey efforts and the resulting data. The goal of this partnership is two-fold: to reduce the effort that online programs invest in responding to surveys, and to share data and insights across both organizations.

The educators and policymakers who gave their time to provide the information that is the basis for *Keeping Pace* are another set of key contributors to the report. We have been consistently surprised by the amount of time and quality of responses we receive from people around the country; this report would not be possible without their input.

We have made every attempt to ensure accuracy of the information in *Keeping Pace*, but recognize that in a report of this breadth some errors of accuracy or omission are likely. We welcome comments, clarifications, and suggestions; please send them to [johnw@evergreenassoc.com](mailto:johnw@evergreenassoc.com).



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A report as long *Keeping Pace* can be intimidating, leading the reader to wonder, “Where do I start?” This page provides background on how the report is organized, whether you’re looking for specific information or simply seeking to gain a background understanding of the state of online learning.

## How to read this report

*Keeping Pace* has several goals. First, it strives to add to the body of knowledge about online education policy and practice and make recommendations for advances. Second, it serves as a reference source for information about programs and policies across the country, both for policymakers and practitioners who are new to online education and for those who have extensive experience in the field. Third, because there has been so much online education activity in the past year, the report attempts to capture new activity.

A **Definitions** section immediately precedes the body of text. Because there are many terms in online learning without commonly understood definitions, this section defines the key terms used in this report.

The **National snapshot and the year in review** captures a picture of the state of online learning in 2009 and provides a short summary of some key developments over the past year.

**Key issues in online learning** presents a more in-depth summary of the information and data within the state policy profiles and the online program profiles. This section contains most of the analysis within the report; it provides more depth than the national snapshot without the raw data in the profiles sections.

For **Notes from the field** we invited researchers and practitioners to contribute short articles on specific subjects that in most cases were not major areas of focus for *Keeping Pace*. The resulting articles raise several key issues that are not discussed in depth elsewhere in the report.

The **Outlook and conclusion** looks to the future and explores the role of online learning within the context of educational reform and other changes that are occurring across public schools.

Following the sections listed above are two sections that provide much of the data on which the summaries and conclusions are based. The **Program profiles** describe a subset of the programs that responded to the *Keeping Pace* program survey, divided by program type. For each program type common attributes are discussed, and exceptions to the common attributes are noted.

The **State policy profiles** contain online learning profiles of all fifty states, divided into four geographic regions. Most state profiles include footnotes that reference state laws, state policies, and websites of programs. However, in some cases, the information is general and was gathered through numerous website reviews and phone interviews with state agencies; in these cases footnotes are not included. The primary purpose of footnotes is to provide the source documents that will be most valuable to readers.

## Definitions

*Keeping Pace* defines online learning as teacher-led education that takes place over the Internet, with the teacher and student separated geographically. Several associated educational practices, such as blending online and face-to-face instruction, the use of Internet-based resources in the classroom, and laptop initiatives, are discussed in cases where there are significant programs or policies related to these practices.

For simplicity, *Keeping Pace* draws a distinction between programs that are primarily supplemental and those that are primarily full-time. Although not exact, the distinction is important because students in supplemental programs are enrolled in a school separate from the online program, while students in full-time programs are enrolled only in the online school. In addition,

- Full-time programs typically are responsible for these students' scores on state assessments required by No Child Left Behind, which is the primary way in which student outcomes, and school performance, are measured; and
- Full-time programs are often funded by the per-pupil (also known as FTE for full-time equivalent) public education funding formula that follows the student, while most state-led supplemental programs are funded primarily by separate legislative appropriations. While both types of programs are state-funded, using taxpayer dollars, the difference in the funding mechanisms is significant.

The ways in which *Keeping Pace* counts student numbers for full-time programs and supplemental programs differ from one another. For supplemental programs we count **course enrollments**—one student in one semester-long course—while in full-time programs we count **student enrollments**, defined as one year-long FTE student. Other terms used in this report are defined as follows:

**State virtual schools** are created by legislation or by a state-level agency, and/or administered by a state education agency, and/or funded by a state appropriation or grant for the purpose of providing online learning opportunities across the state. (They may also receive federal or private foundation grants, and often charge course fees to help cover their costs.) Examples of state virtual schools include the Idaho Digital Learning Academy, Kentucky Virtual High School, and Michigan Virtual School. Because online programs evolve, some programs are categorized as state virtual schools that do not fit the definition presently, but did in important stages of their development.

**State-led online initiatives** are different from state virtual schools in that these initiatives typically offer online tools and resources for schools across the state but do not have a centralized student enrollment or registration system for students in online courses. Examples include the Washington Digital Learning Commons, Oregon Virtual School District, and Massachusetts Online Network for Education (MassONE).

In **full-time online programs**, sometimes called cyberschools, students enroll and earn credit issued by the school towards academic advancement based on successful completion of the courses (or other designated learning opportunities) provided by the school. Many full-time online schools are charter schools.

Some states draw a distinction between **single-district programs**, which serve students who reside within the district that is providing the online courses, and **multi-district programs**, which serve students from multiple districts. Multi-district programs may be state-led, run by a **consortium** or **network**, or operated by one district offering an online program to students from other districts.

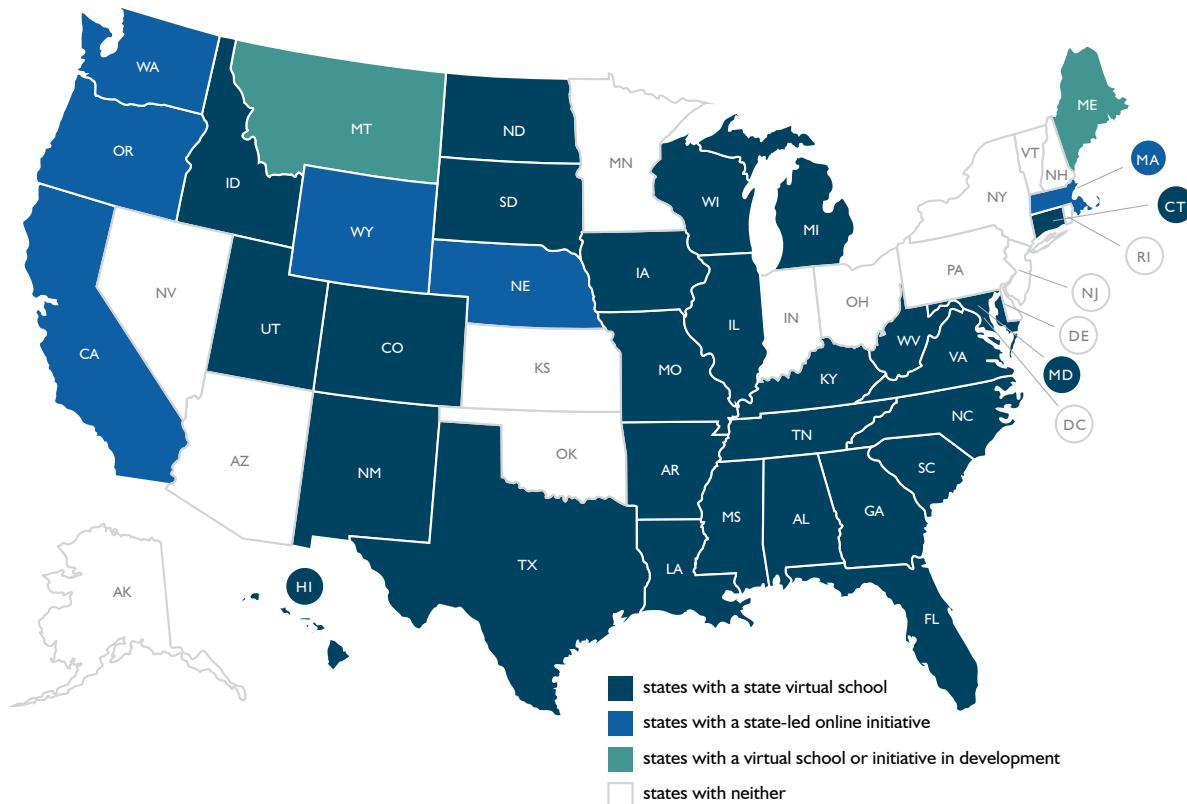
Online, elearning, virtual schools, digital courses—there are countless terms that relate to online learning but which may have different meanings for different people and organizations. This section defines the terms that *Keeping Pace* uses throughout the report.

# National snapshot and the year in review

This section presents a national snapshot of online learning programs as of late 2009, and highlights some of the notable policy developments of the past year.

A snapshot of online learning activity in late 2009, and a review of policy and practice activity, shows a field that is growing steadily. Over the past year there have been significant increases in the number of online programs, the number of students taking a single online course, and the number of students attending a full-time online school. Although the overall trend is towards increasing opportunities for students, there have also been states in which online learning options have been diminished, primarily due to budget constraints or state policy decisions.

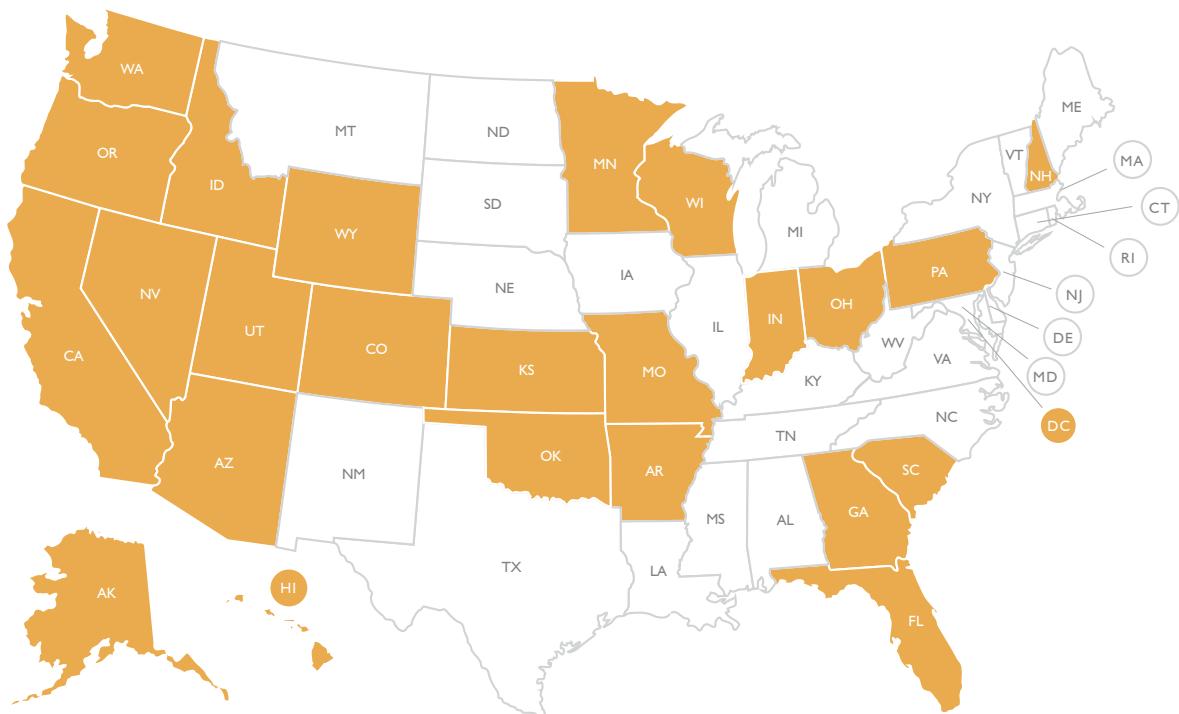
State virtual schools now exist in 27 states (Figure 1). An additional six states offer state-led online learning initiatives that provide tools and resources to school districts across their state, while not providing the full suite of centralized services that the state virtual schools offer. Together, the state virtual schools provided roughly 320,000 course enrollments (one student taking one semester-long course) in for-credit courses in school year 2008-09. Many state virtual schools have grown rapidly in the past year, and Montana and Maine passed laws to create a new state virtual school and state-led online initiative, respectively. Florida Virtual School is by far the largest state virtual school, with more than 150,000 course enrollments in 2008-09, and several other state virtual schools have more than 15,000 course enrollments.



**Figure 1: States with state virtual schools and state-led online initiatives.**

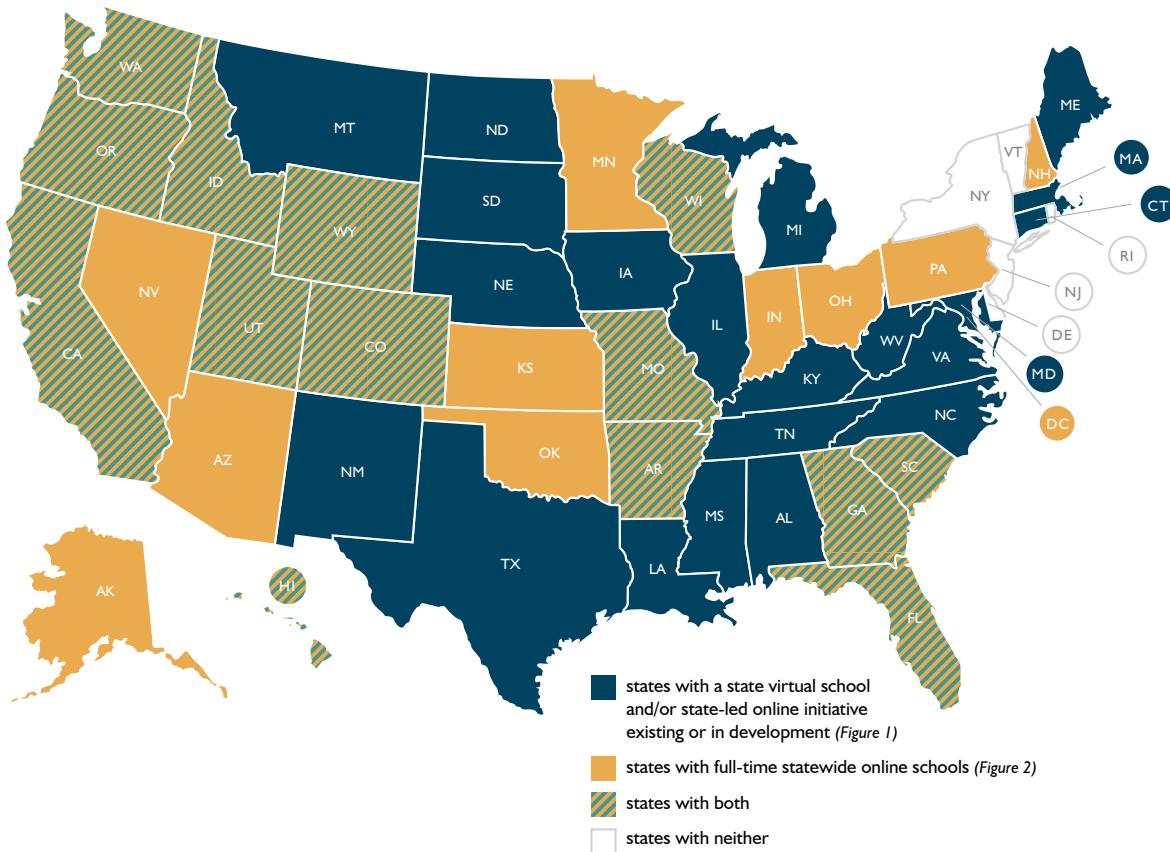
The number of states with full-time online schools is growing, and there are now 24 states with these schools operating statewide plus Washington D.C. (Figure 2), and several additional states in which full-time online schools are available to some, but not all, students in the state. About 175,000 full-time students attend these online schools; states with the largest number of full-time online students include Ohio, Pennsylvania, and Arizona. Many of these online schools are affiliated with national educational management organizations such as Connections Academy, K12 Inc., Insight Schools, and Advanced Academics, but the number of schools not affiliated with a national organization is increasing as well.

Online programs run by a single district, for students in that district, represent an emerging category of online learning activity. Limited data are available for district programs, but existing data points and anecdotal evidence suggest that the number of district programs is growing rapidly. These programs often combine supplemental online courses and blended (online and face-to-face) learning opportunities; some include a full-time online school option as well.



**Figure 2: States with full-time, statewide online schools.**

Online learning opportunities have spread into more states than ever before. *Keeping Pace* now counts 45 of the 50 states (plus Washington D.C.) as having a state virtual school or online initiative, full-time online schools, or both (Figure 3). Accompanying the recent growth in these opportunities, however, is increased demand for online learning. Survey results from Project Tomorrow (discussed in the Key Issues section) suggest that students' interest in and demand for online learning options is higher than the opportunities that they have in many states. In effect, measures of success have changed, and the bar has been raised. In Table 1 (following pages), we present a detailed state-by-state summary of online learning activity.



**Figure 3: States with a state virtual school or online initiative, full-time online schools, or both.**

## Online learning activity by state

For each state in Table 1 (next page), we rated four categories of online learning activity: supplemental and full-time online options for grades 9-12, and supplemental and full-time options for grades K-8. For each category we assigned one of four ratings:

- Available to all students across the state
- Available to most, but not all, students across the state
- Available to some, but not most, students across the state
- Available to few or no students across the state

Determining the rating for each category in each state was a mix of objective metrics and subjective determinations. Several factors were taken into account. First and foremost, we asked the question: If students (or their parents) from anywhere in the state are seeking a publicly-funded online course or full-time online school at a specific grade level, how likely is it that they will have access to these opportunities? The primary question was then subdivided into several sub-questions:

1. Do full-time online schools or supplemental online programs exist?
2. If such schools and programs exist, are they available to students across the entire state, or are they restricted by grade level, location, or other factors?
3. Does the decision to participate in online learning primarily rest with the student and parent or do individual schools control the decision?
4. Are there other potential barriers such as enrollment fees that would discourage some students from participating?

The above set of questions was based on the existence and attributes of programs and policies, including funding of online schools and the presence or absence of seat-time requirements. We recognize, however, that our knowledge of programs and policies is imperfect, so we also looked at the size of online schools and programs relative to the state's school-age population. The percentage of the school-age population that is taking part in online learning in a handful of states with well-known and successful online schools (e.g., Florida and Idaho) created a benchmark against which other states were compared. We also looked for evidence of significant district programs that provide options beyond state virtual schools and full-time charter schools. In cases where the presence and size of district programs would shift a state's rating, we researched district programs in more detail.

Any summary rating system must balance the competing needs of accurately describing as many data points as possible while keeping the number of categories and ratings low enough as to be meaningful. States which have significant online programs that are not available across all grades or locations were particularly challenging. An empty circle does not necessarily mean there are no online learning opportunities in the state in that category, but if such options exist they are highly restricted to a very small percentage of the student population.

The ratings are based on opportunities that were available in the 2008-09 school year, with limited adjustments for new programs underway in fall 2009. Some of the newest programs and fastest growth are among states that have recently focused on or created online programs, suggesting that states with little online activity this year may change significantly within a few years.

**Table 1: State-level snapshot of online learning activity**

State ratings are based on the availability of online learning options to students of all grade levels in all geographic areas of the state. Availability is in turn based on the existence and attributes of programs, policy and funding, including the proportion of the student population taking part in online courses and schools. The ratings are based on opportunities that were available in the 2008-09 school year, with limited adjustments for new programs underway in fall 2009.

State	SUPPLEMENTAL		FULL-TIME		Notes
	grades 9-12	grades K-8	grades 9-12	grades K-8	
Alabama	●	○	○	○	ACCESS is the second largest state virtual school in the country, but few other options
Alaska	●	●	●	●	At least two statewide online schools and some district online programs
Arizona	●	○	●	●	Fourteen online charter schools and district programs through 2008-09 offering full-time and supplemental options; cap now lifted and growth anticipated
Arkansas	●	○	○	○	AR Virtual High School is the state virtual school; only one statewide online charter school and it is limited to 500 students
California	●	●	●	●	Many district programs and online charter schools, all limited to provide services only in their own area and contiguous counties; University of California College Prep is a state-led initiative
Colorado	●	○	●	●	Small state virtual school (Colorado Online Learning); several online charter schools and growing number of district programs
Connecticut	●	○	○	○	CT Virtual Learning Center is funded by course fees; CT Adult Virtual High School offers adult program; consortium offers courses through the Virtual High School Global Consortium to 57 high schools
Delaware	○	○	○	○	Funding for Delaware Virtual School was eliminated due to a large state budget deficit
Florida	●	●	●	●	FL Virtual School is largest in the country; legislation in 2008 and 2009 requires all school districts to offer full-time online programs for grades K-12
Georgia	●	●	●	●	GA Virtual School and several suburban Atlanta districts have significant online programs; plus at least one statewide online charter
Hawaii	●	●	●	●	Hawaii Virtual Learning Network's E-School is the state virtual school; Myron B. Thompson Academy is statewide full-time school; online charter opened in 2008
Idaho	●	●	●	●	Idaho Digital Learning Academy is the state virtual school and among the largest relative to size of state population; several online charters and district programs
Illinois	○	●	○	○	Illinois Virtual School is the state virtual school; one full-time online charter school and one blended learning school in Chicago
Indiana	●	○	○	○	Virtual Pilot School has 200 full-time students; several statewide supplemental programs; two hybrid charter programs blend online and face-to-face instruction
Iowa	●	○	○	○	Iowa Learning Online and the Iowa Online AP Academy; few other online programs
Kansas	●	●	●	●	Forty-five district programs and charter schools enroll students statewide
Kentucky	●	○	○	○	KY Virtual Schools is small state virtual school; large district program in Jefferson County
Louisiana	●	●	○	○	LA Virtual School is state virtual school; online charter schools not prohibited by law but as of August 2009 no statewide online charter schools have been authorized
Maine	●	○	○	○	Maine Online Learning Program created in 2009 but not yet in operation; 25% of state's high schools offer courses via the Virtual High School Global Consortium
Maryland	●	●	○	○	Maryland Virtual School is small state virtual school; online charter schools are effectively prohibited by charter school law
Massachusetts	●	○	○	○	MassONE is a state-led initiative; 39% of state's high schools offer courses via the Virtual High School Global Consortium
Michigan	●	●	○	○	Michigan Virtual School is among the largest state virtual schools; first state to create an "online learning experience" requirement to graduate; some district programs
Minnesota	●	○	●	●	Many online charter schools and multi-district programs

**SUPPLEMENTAL** **FULL-TIME**

- Available to all students
- Available to most but not all
- Available to some but not most
- Not available

State	grades 9-12	grades K-8	grades 9-12	grades K-8	Notes
Mississippi	<span style="color: black;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: white;">○</span>	<span style="color: white;">○</span>	Mississippi Virtual Public School is state virtual school; no online charter schools
Missouri	<span style="color: black;">●</span>	<span style="color: black;">●</span>	<span style="color: darkgray;">●</span>	<span style="color: darkgray;">●</span>	State virtual school, Missouri Virtual Instruction Program (MoVIP), enrolls both part-time and full-time students
Montana	<span style="color: lightgray;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: white;">○</span>	<span style="color: white;">○</span>	New state virtual school, Montana Virtual Academy, will be in operation in 2010; supplemental district programs and an online learning consortium
Nebraska	<span style="color: lightgray;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: white;">○</span>	<span style="color: white;">○</span>	Distance Education Council provides supplemental online courses across the state
Nevada	<span style="color: black;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: darkgray;">●</span>	<span style="color: darkgray;">●</span>	Online charter schools and district online programs including Clark County Virtual High School
New Hampshire	<span style="color: black;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: darkgray;">●</span>	<span style="color: white;">○</span>	First statewide online charter school, the New Hampshire Virtual Learning Academy Charter School, launched in 2008, is largely supplemental but state-funded
New Jersey	<span style="color: lightgray;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: white;">○</span>	<span style="color: white;">○</span>	Few online programs; distance learning is primarily through video
New Mexico	<span style="color: lightgray;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: white;">○</span>	<span style="color: white;">○</span>	State virtual school, IDEAL-NM; some school district online programs
New York	<span style="color: lightgray;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: white;">○</span>	<span style="color: white;">○</span>	A few online programs through BOCES; a charter school cap and past charter denials currently block online charter development
North Carolina	<span style="color: black;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: white;">○</span>	<span style="color: white;">○</span>	NC Virtual Public School is among the largest state virtual schools in the country
North Dakota	<span style="color: lightgray;">●</span>	<span style="color: black;">●</span>	<span style="color: white;">○</span>	<span style="color: white;">○</span>	North Dakota Center for Distance Education is the small state virtual school
Ohio	<span style="color: lightgray;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: darkgray;">●</span>	<span style="color: darkgray;">●</span>	Many online charter schools with a combined course enrollment of over 27,000 students in 2008-09
Oklahoma	<span style="color: black;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: darkgray;">●</span>	<span style="color: darkgray;">●</span>	Two statewide full-time online schools and two university programs
Oregon	<span style="color: lightgray;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: white;">○</span>	<span style="color: white;">○</span>	Oregon Virtual School District is state-led initiative; several district programs and statewide online charter schools but growth of online charters is restricted
Pennsylvania	<span style="color: lightgray;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: darkgray;">●</span>	<span style="color: darkgray;">●</span>	Eleven online charter schools and additional district programs
Rhode Island	<span style="color: lightgray;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: white;">○</span>	<span style="color: white;">○</span>	Few online programs; 14% of state's high schools offer online courses through the Virtual High School Global Consortium
South Carolina	<span style="color: black;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: darkgray;">●</span>	<span style="color: darkgray;">●</span>	SC Virtual School is state virtual school; charter organization initially authorized three online charters in 2008 and five operating in 2009
South Dakota	<span style="color: black;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: white;">○</span>	<span style="color: white;">○</span>	South Dakota Virtual High School is state virtual school
Tennessee	<span style="color: lightgray;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: white;">○</span>	<span style="color: white;">○</span>	e4TN is the state virtual school serving all 156 school districts; some district programs; 2008 legislation allows LEAs to sponsor an online charter school, but none have been authorized
Texas	<span style="color: lightgray;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: white;">○</span>	<span style="color: white;">○</span>	Texas Virtual School Network is the state virtual school and funds online courses required for graduation; the state-led Electronic Course Program funds Grades 3-9 full-time virtual programs; some large district programs
Utah	<span style="color: black;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: white;">○</span>	<span style="color: white;">○</span>	UT Electronic High School is state virtual school; BYU offers online correspondence courses
Vermont	<span style="color: lightgray;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: white;">○</span>	<span style="color: white;">○</span>	Few online programs although state online initiative being considered
Virginia	<span style="color: black;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: white;">○</span>	<span style="color: white;">○</span>	Virtual Virginia is state virtual school; some district programs especially in northern Virginia; no full-time online charter schools
Washington	<span style="color: black;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: darkgray;">●</span>	<span style="color: darkgray;">●</span>	Many district programs, often operated by national providers, serving students statewide; no charter school law
West Virginia	<span style="color: lightgray;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: white;">○</span>	<span style="color: white;">○</span>	WV Virtual School is state virtual school; no other significant programs
Wisconsin	<span style="color: lightgray;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: darkgray;">●</span>	<span style="color: darkgray;">●</span>	Wisconsin Web Academy is the state virtual school; numerous district programs and online charter schools
Wyoming	<span style="color: lightgray;">●</span>	<span style="color: lightgray;">●</span>	<span style="color: darkgray;">●</span>	<span style="color: darkgray;">●</span>	Wyoming Switchboard Network (WSN) coordinates distance learning among districts; two district programs and three statewide full-time online charters have received WSN approval

## Key policy developments

The development of online learning opportunities is facilitated, or hindered, by state policies that affect access, funding, quality, and other parameters. In 2009 many states altered their policies in ways that affected online students, for better or worse.

### Policy developments that increase online learning opportunities or improve online options' quality

- Montana created a new state virtual school, the Montana Virtual Academy, which will be operated out of the University of Montana's College of Education, with plans to open to students in fall 2010.
- Maine created the Maine Online Learning Program, which is intended to offer both full-time and supplemental options for grades K through 12 throughout the state by aggregating online providers for districts across the state.
- Arizona removed the pilot status and cap from its online learning program, which had been limited to 14 schools across the state. The new program, Arizona Online Instruction, funds online students at 80% to 95% of the state's base funding level and removes restrictions on new programs.
- Minnesota became one of the first states to recognize in state-level policy that there are national standards for quality in online learning by requiring at the time of certification that programs "meet nationally recognized standards." At a time when many states still rely on antiquated measures that are not specific to online learning, this is an important step forward.
- The Colorado Department of Education's Unit of Online Learning published its first report on activity of online schools in the state, providing a model for reporting on single-district, multi-district, and other online programs.
- Texas piloted the Texas Virtual School Network, providing a clearinghouse for districts to review available online content and offer online courses, and providing funding for each course enrollment that is in addition to the student FTE earned by the district.
- Washington created the Digital Learning Department within the Office of the Superintendent of Public Instruction (OSPI). This new department was organized as a partnership between the Digital Learning Commons (DLC), a non-profit that provided access to online courses and educational resources, and OSPI, with many of the DLC's activities and staff transferred to OSPI.
- The Illinois legislature passed its first major online learning legislation that paves the way for expanded district-level online learning options.
- Missouri passed a law that allows 94% of average daily membership (per-pupil FTE funding) to be spent on virtual education, allowing districts to develop and offer their own online courses (in addition to those offered by the Missouri Virtual Instruction Program).
- Michigan's Superintendent of Public Instruction expanded a process that allows school districts to seek a waiver of the state's pupil accounting rules to allow eligible full-time students to take all of their coursework online. Twenty-one local and intermediate school districts have been approved to implement this "seat-time waiver."

## Policy and funding developments that decrease online learning opportunities

- Oregon passed a bill greatly restricting online charter schools.
- Delaware cut funding for its pilot state virtual school.
- Connecticut's Virtual Learning Center, which initially received two years of funding (for the 2007-08 and 2008-09 school years), lost its second year of funding due to state budget constraints. Without an annual appropriation, the Virtual Learning Center now offers courses for a fee.

Policy developments over the last year supporting expansion of online learning options clearly outnumber the developments restricting online options. With policies increasingly supporting online learning, with online learning practices evolving and improving, and with administrators, teachers, parents, and students recognizing the benefits of online courses and schools, we anticipate that growth will continue and accelerate.



## Notable reports from 2009

The following list highlights some of the reports that are among the most valuable for online learning policymakers and practitioners. It is not meant to be comprehensive. Most reports are directly related to online learning, while some make the case for the need for education reform and innovation.

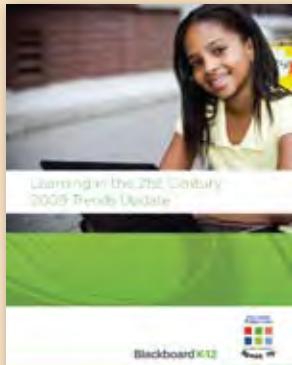


### Getting Students More Learning Time Online Distance Education in Support of Expanded Learning Time in K-12 Schools

Center for American Progress

May 2009

The study outlines the rationale for and steps toward making distance education courses uniformly available to expand school learning time; also outlines some of the urgent needs in American education today and explains how school districts and educators can use K-12 distance education to address them.

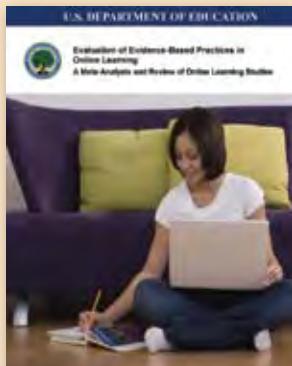


### Learning in the 21<sup>st</sup> Century 2009 Trends Update

Project Tomorrow®

2009

This report is based on the views of more than 335,000 K-12 students, teachers, administrators and parents from across the nation who participated in the Speak Up 2008 National Research Project in fall 2008. It examines how students are using technology to become “free agent learners” and driving the demand for more online classes in and out of school. It highlights why students and teachers want access to classes online, the challenges districts face when implementing online learning initiatives, and how online learning presents unprecedented opportunities for meeting the needs of our 21<sup>st</sup> century learners.



### Evaluation of Evidence-Based Practices in Online Learning

A Meta-Analysis and Review of Online Learning Studies

U.S. Department of Education Center for Technology in Learning

May 2009

From the study abstract: A systematic search of the research literature from 1996 through July 2008 identified studies “that (a) contrasted an online to a face-to-face condition, (b) measured student learning outcomes, (c) used a rigorous research design, and (d) provided adequate information to calculate an effect size...The meta-analysis found that, on average, students in online learning conditions performed better than those receiving face-to-face instruction.”



## K-12 Online Learning A 2008 Follow-up of the Survey of U.S. School District Administrators

Sloan Consortium

January 2009

Sloan surveyed school districts during the 2007-08 academic year to determine the extent of use of online and blended learning. The survey found that 75% of responding districts had one or more students enrolled in a fully online or blended course and two-thirds of these districts expect their online enrollments will grow. "The overall number of K-12 students engaged in online courses in 2007-08 is estimated at 1,030,000. This represents a 47% increase since 2005-06."



## The Economic Impact of the Achievement Gap in America's Schools Summary of Findings

McKinsey & Company

April 2009

Although not focused on online learning, this report makes the case for the need for reform and innovation in education by looking at four distinct achievement gaps: "(1) between the United States and other nations; (2) between black and Latino students and white students; (3) between students of different income levels; and (4) between similar students schooled in different systems or regions."

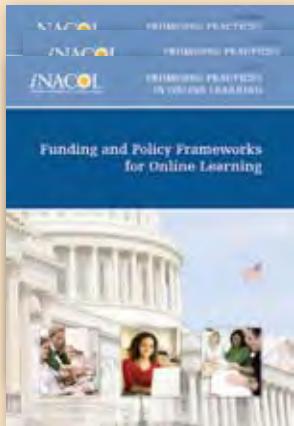


## On the Front Lines of Schools Perspectives of Teachers and Principals on the High School Dropout Problem

Civic Enterprises in association with Peter D. Hart Research Associates for the AT&T Foundation and the America's Promise Alliance

June 2009

"Each year, more than 1.2 million students drop out of our nation's public high schools with detrimental consequences to them, our society, our economy and civic life." This report, a follow-up to *The Silent Epidemic*, looks at the dropout issue and recommends solutions.



## Promising Practices in K-12 Online learning

International Association for K-12 Online Learning (iNACOL)

Individual reports issued in 2008 and 2009

The Promising Practices series covers six topics in individual reports: blended learning; using online learning for credit recovery and at-risk students; management and operations; funding and policy, socialization of online students, and a parents' guide to online learning.

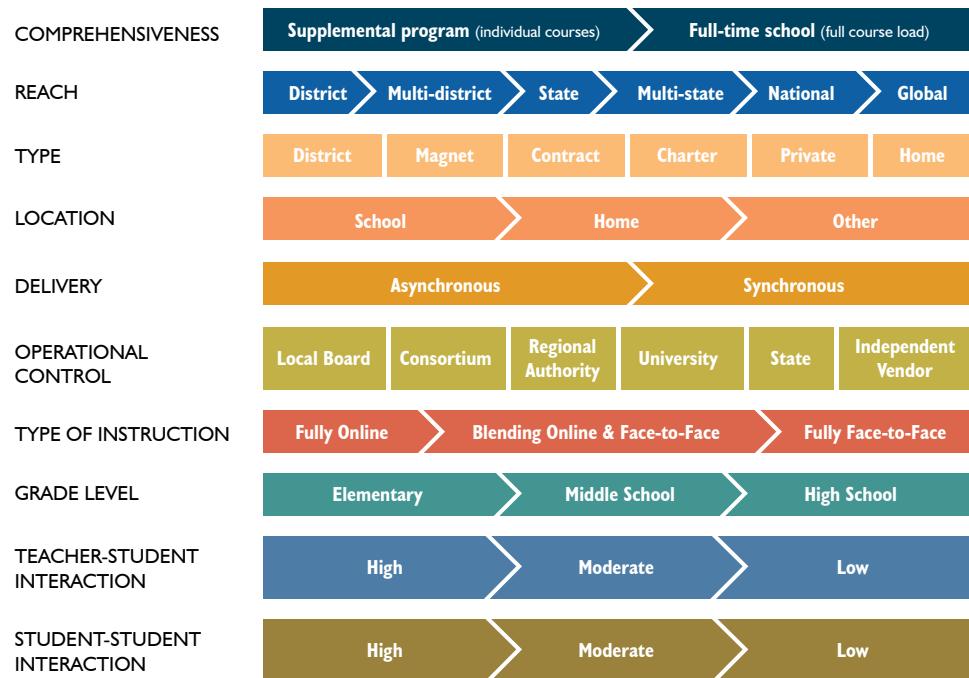
# Key issues in online learning

Online learning is increasingly accepted as not only a viable option for students, but as a key element of education innovation and reform. For many people, however, questions remain about what types of online programs exist, how many students are taking online courses, and how quality is assured. This section addresses a series of questions with information that draws upon published reports but relies heavily on *Keeping Pace* research and data, which are provided in the program and state profiles sections that follow.

## Different types of online programs have different characteristics and attributes that define the ways that students learn

In order to understand the different types of online courses and programs, one must first understand the attributes that define online learning. A set of the defining dimensions of online programs, represented in Figure 4, describes whether the program is supplemental or full-time; the breadth of its geographic reach; the organizational type and operational control; and location and type of instruction. Some of these attributes may be combined or operate along a continuum (e.g., location and type of instruction).

THE DEFINING DIMENSIONS OF ONLINE PROGRAMS



**Figure 4: Defining dimensions of online programs.** Figure adapted from Gregg Vanourek, *A Primer on Virtual Charter Schools: Mapping the Electronic Frontier*, Issue Brief for National Association of Charter School Authorizers, August 2006.

Within this list of dimensions, the most important from a policy perspective include whether the program is full-time (in which students take all of their courses from the online school) or supplemental (in which students are enrolled in another school and take a course or two from the online provider). This distinction has innumerable ramifications for policy (e.g., the way in which the program is funded). For online learning practitioners, the most important may be the level of teacher-student interaction.

## The myriad online program attributes can be combined into a few major categories of online schools

*Keeping Pace* places online programs into the following categories: state virtual schools; multi-district full-time schools; single-district programs; consortium programs; and programs run by post-secondary institutions (Table 2). Note that these categories share some common attributes, but the programs within each category are not exactly the same. For example, most state virtual schools are supplemental, but a few have full-time students. Also, note that the categories are not based on a single defining dimension; instead, each has one or two dominant dimensions that define the category.

Category	Organization type/governance	Full-time/supplemental	Funding source	Geographic reach	Examples
State virtual school	State education agency	Supplemental	State appropriation, course fees	Statewide	Florida Virtual School, Michigan Virtual School, Idaho Digital Learning Academy
Multi-district	Charter	Full-time	Public education funding formula	Statewide	Oregon Connections Academy, Insight School of Washington, Georgia Virtual Academy, Minnesota Virtual High School
Single-district	District	Either or both	District funds	Single-district	Riverside (CA), Broward (FL), Plano (TX), Los Angeles
Consortium	Variable	Supplemental	Course fees, consortium member fees	Statewide	Virtual High School, Wisconsin eSchool Network
Post-secondary	University or college	Either or both	Course fees	National	University of Nebraska Independent Study HS, Brigham Young University – Independent Study

**Table 2: Categories of online programs and their usual attributes; note that exceptions exist for each category.**

- State virtual schools are authorized and funded by the state legislature, state education agency, or governor's office. They are usually supplemental and typically funded via state appropriation.
- Full-time, multi-district online schools operate in 24 states plus D.C. and are usually, although not always, charter schools (states with statewide online schools that are not charters include Washington, Oklahoma, and Colorado.) They draw students across district lines, and often across entire states. Because they are drawing students from a wide geographic area, they usually do not have a formal face-to-face component. They are funded based on the public education funding formula, which may be different for online students, or for students in charter schools, than for students in other non-charter physical schools. The funding follows the student and the online programs' overall funding is closely linked to the number of students they attract.
- Single-district programs are run by one district and primarily serve students within that district. They tend to be supplemental, although some include full-time students. They often blend online and face-to-face components in part because they are drawing students from a narrow geographic area, and in some states because funding requires that students be physically present to be counted. Although they are indirectly funded by the same method as school districts, their funding may not be directly tied to the number of students taking courses.
- Consortium online programs may be run by a group of school districts, by a non-profit organization that works with schools, or by another intermediate education agency. They are usually funded by member schools or by course fees, and are usually supplemental.
- Many post-secondary online programs are connected to independent or alternative study schools that were created by a college or university before online courses were available; therefore they date back to correspondence courses. These programs are sometimes, but not always, tied to dual-credit for students enrolled in a traditional high school.

## What's in a name?

Confusion, perhaps, if the name is related to online learning. Many programs with similar names are in fact quite different from one another, and some programs of similar types have very different names.

- The terms "online learning," "virtual learning," and "elearning" are interchangeable. Similarly, other terms including cyberschools and electronic courses do not have generally understood meanings. All of these terms refer to some sort of Internet- or computer-based instruction, but two courses that are both called "online" may in fact be very different in terms of production values, level of teacher involvement, instructional technology, and other factors.
- State virtual schools often go by the naming convention of <state name> Virtual School; e.g. Michigan Virtual School, Kentucky Virtual School, and Illinois Virtual School. However, this is not always the case:
  - In some states the school that uses this naming convention is not a state virtual school; for example the New Jersey Virtual School and Minnesota Virtual High School are not state virtual schools.
  - In some cases the state virtual school uses a different naming convention; for example the Idaho Digital Learning Academy, Colorado Online Learning, and Virtual Virginia are all state virtual schools.
- Schools affiliated with K12 Inc. typically go by the name <state name> Virtual Academy; for example the Georgia Virtual Academy, Arkansas Virtual Academy, and Arizona Virtual Academy are all K12 Inc. schools. However, the Indiana Virtual Academy and the newly created Montana Virtual Academy are not affiliated with K12 Inc.
- Most Connections Academy schools are <state name> Connections Academy, and most Insight Schools have "Insight" in their names. Schools affiliated with Advanced Academics typically are named for the region or community served.

None of these naming conventions is right or wrong, or better or worse; but they sometimes create confusion among observers who believe that there's more—or less—in a name than is intended.

# The exact number of students taking online courses is estimated at slightly above one million based on surveys by the Sloan Consortium; this number is consistent with *Keeping Pace* findings

The best estimates put the number of students taking online courses at slightly above one million, or roughly 2% of the overall K-12 student population. However, the number of students taking online courses is difficult to pin down for three reasons.

**First, there is no agreed-upon definition of an online course.** Therefore, any estimate has to define the types of courses and enrollments that are being included in the count.

**Second, different types of programs count students differently.** Supplemental programs typically count course enrollments (one student taking one semester-long course), while full-time schools typically count student enrollments (one student enrolled full time). Different types of programs are often reported together, leading to confusion about the metric being used. If a supplemental program reports the same number of unique students as a full-time school, the total number of online courses is much higher in the full-time school.

**Third, most states are not counting or reporting online students in any formal way.** There are far more states with no counting and reporting than states that have a count of online students. Within the states that do provide a count, the first challenge in this list (no commonly agreed-upon definitions) comes into play.

Given the lack of hard data based on common metrics, the best estimate available is based on a survey of school administrators nationwide. The Sloan Consortium surveyed school administrators around the country during the 2005-06 and 2007-08 school years. Based on these surveys, Sloan estimates the number of K-12 students engaged in online and blended courses in 2007-08 to be 1,030,000, an increase of 47% since 2005-06. The estimate is based on extrapolating the roughly 66,000 online students identified in the study to the overall K-12 student population.<sup>1</sup>

The Sloan surveys are an invaluable contribution to the online learning picture, as they are the only national surveys focused exclusively on online learning that attempt to reach most school districts in the country. Their limitation is in the extrapolation that is necessary from the relatively small percent and number of districts that responded, together with a possible survey bias in that administrators who are using online courses in their district may be more inclined to respond than administrators who are not. The Sloan numbers are the best available, but they should be considered a rough estimate.

<sup>1</sup> K-12 Online Learning: A 2008 Follow-up of the Survey of U.S. School District Administrators; retrieved August 20, 2009. [http://www.sloan-c.org/publications/survey/pdf/k-12\\_online\\_learning\\_2008.pdf](http://www.sloan-c.org/publications/survey/pdf/k-12_online_learning_2008.pdf)

## While the exact number of students taking online courses is unknown, it is undoubtedly increasing rapidly

Even with the lack of comprehensive online student data discussed above, we can say with near certainty that the number of students taking online courses is growing rapidly. The Sloan study referenced above suggests growth of 47% over two years. A review of states with online programs, state virtual schools, and educational management organizations suggests growth rates that are in line with the Sloan estimates. Table 3 shows the number of enrollments and growth rates of a sample of states, state virtual schools, district programs, national education management companies, and other types of programs. Each of these online providers represents a window into the activity that is occurring nationwide. The rows in the table represent different types of organizations and are meant to illustrate the breadth and growth of various program structures; they are not meant to be compared one to another.

State/organization	Type	Full-time or supplemental	2007-08 enrollment	2008-09 enrollment	Annual increase
Florida Virtual School	SVS	Supplemental	120,000	154,125	25%
Idaho Digital Learning Academy	SVS	Supplemental	6,619	9,646	46%
Alabama ACCESS	SVS	Supplemental	18,955	28,014	48%
Michigan Virtual School	SVS	Supplemental	11,000	16,000	45%
Minnesota	State	Both	23,722 (06-07)	28,332 (07-08)	19%
Colorado	State	Full-time	9,238	11,641	26%
Ohio	State	Full-time	24,011	27,037	13%
Arizona	State	Both	15,000 (05-06)	23,000 (07-08)	24% annualized
Connections Academy	EMO	Full-time	13,000	20,000	54%
K12 Inc.	EMO	Full-time	39,500	56,000	42%

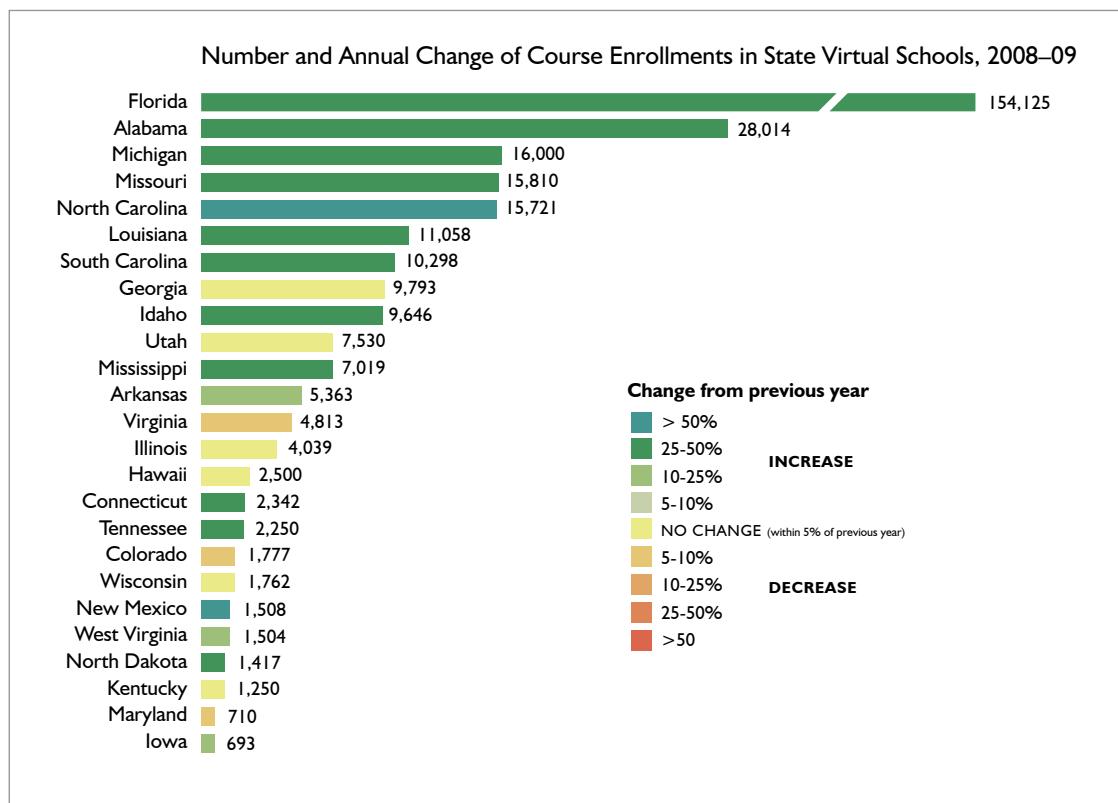
**Table 3: Student numbers and growth rates. SVS is state virtual school; EMO is education management organization; and “State” represents total online student numbers in the state. Enrollment is given in course enrollments (one student taking one semester-long online course) for supplemental providers, and student enrollments (one student taking a full course load) for full-time providers. One full-time equivalent student takes about 10 to 12 semester courses in a year.**

To be sure, some states and programs are not growing at these rates, or at all. Total enrollment in Washington State full-time online programs, for example, appears flat, and about a third of state virtual schools did not experience significant growth. On the other hand, there are new programs being created every year as well, so a significant amount of growth is from new programs, not just growth in existing programs, and some of these are in states without previous online learning activity.

## State virtual schools are an important component of the online learning landscape; many, but not all, are growing

A review of state virtual schools' size and growth rates provides a snapshot of activity in one segment of online learning activity (Figure 5). Notably, the larger state virtual schools—those with more than 10,000 annual course enrollments—tend to be the ones growing the fastest. This suggests that some state virtual schools are receiving much more support (in funding and policies) than others, and that the discrepancy in size between the larger and smaller state virtual schools will increase over time.

Size of the state virtual school relates to at least two factors in addition to the level of funding: the size of the state, and how long the school has been in operation. State virtual schools from states with relatively small student populations, such as Idaho and South Dakota, have relatively high penetration rates. Idaho's Digital Learning Academy, for example, has one course enrollment for every 6.3 high school students in the state; only Alabama (one course enrollment per 5.9 students) and Florida (one per four students) are higher.<sup>2</sup> Number of years in operation is a factor as well, as Florida Virtual School has been in operation since 1997 and many other state virtual schools were started after 2000. However, while the number of years in operation and the size of the state student population are factors in the size of the state virtual school, they are much smaller factors than the level of funding available to the school in determining the school's size.



**Figure 5: Size and annual percent change in number of course enrollments in state virtual schools.**

<sup>2</sup> These numbers do not suggest that one in six Idaho students is taking an online course from the Idaho Digital Learning Academy, because the number of unique students is significantly lower than the number of course enrollments. Also, the calculation uses the number of high school students in the state, and some state virtual schools serve middle school students as well as high school students. For comparative purposes, however, the calculations demonstrate that the best way to evaluate size of state virtual schools may be in comparison to the state's student population.

## Full-time online schools are growing and spreading into new states

About half of all states have significant full-time online schools. In 24 states these are schools that operate across multiple districts, while in a couple of states full-time online schools are limited to large districts. *Keeping Pace* estimates the number of full-time online students at about 175,000. States with the largest numbers of full-time online students include Arizona, Ohio, Minnesota, Colorado, Washington, California, and Pennsylvania.

**The number of students taking online courses in a state is directly proportional to a combination of policy (whether students have the right to choose an online course) and funding (whether online programs are well-funded or funding follows students who choose online courses or schools)**

The states with the most online learning activity and options are those that have funded a state virtual school well and/or have created a regulatory environment in which students are free to choose online courses and schools, and to have funding flow to the online option.

The state virtual schools that are growing rapidly are funded at a level that allows growth and/or because they have communicated the value of their offerings to school districts around their state which are then paying for online courses; or because, in the case of Florida Virtual School, students are given the option to choose online courses and are doing so. In most states there is a correlation between the growth rate of the state virtual school and the course fee that districts pay for the online course; state virtual schools with low (or no) course fees have much higher growth rates than state virtual schools with relatively high course fees paid by districts.

The flip side is that the single largest factor limiting size of individual programs that are not growing is funding. This is particularly true for state virtual schools, most of which are funded by non-sustainable sources such as state appropriations or grants (compared to education funding formulas, which are more sustainable because they are tied to public education dollars). For example, Colorado Online Learning and the Wisconsin Virtual School are among the state-led programs that have not grown in the last several years because their funding has remained at a stable level or been cut.

## How is quality of online courses and schools measured?

There are two broad ways to determine quality in an online course or school; these methods mirror the ways in which quality is determined in physical schools.

The first method is through course and program *inputs*, which are made up primarily of content, teachers, and additional program elements such as student support. Up until relatively recently, standards for these elements were not specific to online learning. The only review of online content was based on state content standards, and the main metric for evaluating teaching was student-teacher ratio. In recent years, the International Association for K-12 Online Learning (iNACOL) has published standards<sup>3</sup> for online course content, online teaching, and online

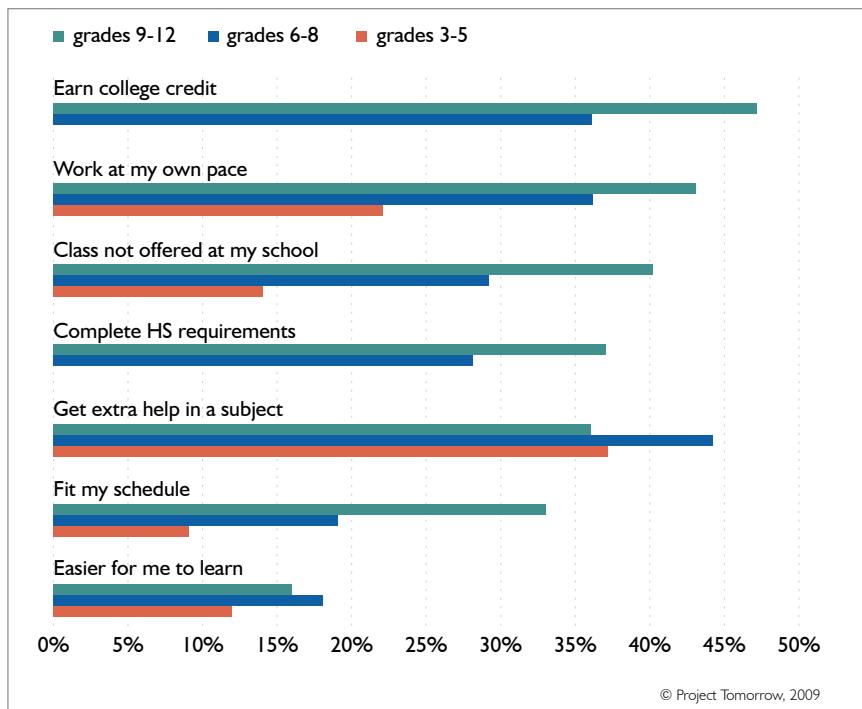
<sup>3</sup> The iNACOL standards for content and teaching are based on standards that were previously created by the Southern Regional Education Board.

programs. These standards are specific to online programs and are far more comprehensive than the previous, limited input measures. The remaining challenge is how to create widespread usage of the online standards, and also how to create reporting so that programs' adherence to the standards can be evaluated.

The second method for determining course and program quality is via program *outcomes* including student mastery of the content, course completion and passing rates, and performance of students on state achievement tests, particularly compared to their own previous performance. This last point—comparing students against their own previous performance instead of against state averages—is particularly important because some online programs are focused on low-performing or at-risk students. Test scores for these programs will tend to be lower than state averages even if they have significantly increased achievement of students in their schools. Outcomes are based on a combination of factors including course content, quality of instruction, student support, and other variables.

## Why are students choosing online courses?

In a broad sense, students are choosing online courses for the same reasons that students use iPods instead of compact disks, and watch YouTube in addition to television: these all represent more options, choices, convenience, and flexibility. According to data reported by Project Tomorrow (Figure 6), students choose online courses because they like to learn at their own pace and to take classes not offered at their local school. There are some differences between the reasons that middle school and high school students report for taking online courses. Middle school students are more likely to choose online to get extra help or because they find it easier to learn in an online class, while high school students are more likely to say that they are choosing an online course to work at their own pace.



**Figure 6: Students' self-reported reasons for taking online classes.<sup>4</sup>**

<sup>4</sup> Learning in the 21<sup>st</sup> Century: 2009 Trends Update; Project Tomorrow, 2009

The Project Tomorrow data are from students across the country; online programs report similar information for students taking their courses. The Virtual High School Global Consortium, for example, has been asking students why they chose an online course, and has found that the top two reasons given are because the course is not offered at the student's school, and because the student "wanted to experience an online course." At Florida Virtual School, more than a quarter of students report that they are taking their online course because they need the course to graduate on time. Full-time online schools report that their students often require the flexibility of an online environment because they work, have family care needs, or have commitments to athletics or performing arts.

## District-level courses and programs are an emerging area of online education activity as districts work with, and respond to, state virtual schools and other statewide online programs

*"Across the country, strong demand for online learning is pushing it from a fringe offering to a strategic imperative for districts. This is likely being driven by the growing popularity of statewide virtual charter schools, increasing acceptance of online learning for all populations of students, and its cost effectiveness during tough economic times. These factors are driving adoption and making for more educated consumers."<sup>5</sup>*

Online learning activity data are limited for all types of online programs, but single-district programs (for students who are enrolled and have been previously enrolled in the district) are the least tracked and understood. The large number of public school districts makes it impractical to gather comprehensive data without significant effort and resources. Even for states that are gathering and reporting information about the state virtual schools or full-time online schools, in most cases the data being gathered do not extend to district-level online programs.

Despite the near absence of hard data, anecdotal and other evidence suggest that there is a tremendous amount of online learning activity at the district level, and that this activity is the dark matter of the online universe that accounts for the difference between the projections of over one million students taking online courses,<sup>6</sup> and the far smaller number that can be easily identified in state virtual schools and online charter schools. Learning management systems companies such as Blackboard and Desire2Learn are selling software to school districts; content companies including Apex, Aventa, Class.com, and others are providing online courses to districts; companies such as Pearson provide both content and a learning management system (through eCollege/Project Tapestry and Fronter); and open education resource organizations such as the Monterey Institute for Technology and Education are supporting districts as well.

The *Keeping Pace* program survey and our interviews with online education practitioners suggest several themes in district-level online learning activity.

First, **there is a wide spectrum of programs at the district level**, including fully online programs, blended learning, summer school programs, credit recovery, alternative high schools, programs providing AP courses and/or other electives, and ad-hoc individual courses. These types of programs are not mutually exclusive and often overlap.

<sup>5</sup> Personal communication with Gregg Levin, Vice President, KC Distance Learning, July 23, 2009

<sup>6</sup> For example, the most recent federal data from the 2004-2005 school year and for the broader category of distance learning, estimate 5,670 public school districts (37%) and 9,050 public schools (10%) combined for 506,950 enrollments. The Sloan Foundation estimates that 1.03 million K-12 students are taking an online course, a 47% increase from school year 2005-06. (K-12 Online Learning: A 2008 Follow-up of the Survey of U.S. School District Administrators; retrieved August 20, 2009, [http://www.sloan-c.org/publications/survey/pdf/k-12\\_online\\_learning\\_2008.pdf](http://www.sloan-c.org/publications/survey/pdf/k-12_online_learning_2008.pdf)).

Second, **the diversity of programs and the lack of consistent tracking of information make it impossible to indicate exactly how much activity is occurring** and how much of this activity would fit the different definitions of online learning.

Third, **credit recovery programs appear to be the area of highest growth, although they do not necessarily make up the majority of current activity.** Nearly every vendor cites credit recovery or similar programs as their biggest growth area, although data on what percentage of the total activity this represents are not available.

There appear to be two paths by which districts enter into offering online or blended courses to students. In states with a significant number of full-time online schools and, to a lesser extent, large state virtual schools, districts often feel the need to offer their own online courses. In some states such as Michigan, much of the district-level online learning activity is via the state virtual school. In other states with a state virtual school, however, districts are choosing to offer their own online courses and programs. In states with full-time online schools, administrators are concerned that they are losing students to the online schools, and are developing online courses to retain students in their district. Regardless of the catalyst in these cases, the result is that the district moves quickly to offer online courses to resident students.

A second common path for districts developing online courses is first providing online professional development for their teachers, before offering online courses to students. In these cases, districts recognize the value of online professional development in time and cost savings. Once teachers and administrators become more comfortable with online learning, these same schools expand to providing online courses for their students. The research from Project Tomorrow supports this notion that schools are focusing on credit recovery and professional development, stating, “our schools are limiting online classes to remediation and credit recovery for students, and primarily focusing their online learning initiatives towards professional development for teachers.”<sup>7</sup>

With both pathways, existing online programs often play a key role, either in spurring activity in response to competition, or in creating partnerships and opportunities for districts. Districts in states with multi-district full-time schools are concerned about losing their students and the associated funding and thus are creating their own online programs. In some cases, these district programs are being created to retain their own students; in other cases they become an active competitor for students across multiple districts. Some districts partner with statewide programs to create programs to expand upon the options already available to their students. The state of Missouri is actively promoting this approach. “MoVIP [the state virtual school in Missouri] will never be able to serve the needs of all the students in the state, so we are working to equip districts to offer their own online courses.”<sup>8</sup> Missouri has purchased a state license to utilize content from the National Repository for Online Content (NROC) and is also part of a ten-state Ready To Teach grant that provides professional development opportunities for teachers on how to teach and develop online courses.<sup>9</sup>

Funding is often raised as a significant policy issue by districts developing online programs, especially in states that require a student to be physically at a school in order to be counted towards general state aid. However, states are beginning to take some action to address this issue.

<sup>7</sup> Project Tomorrow press release; retrieved July 29, 2009, [http://www.tomorrow.org/speakup/learning21Report\\_2009\\_Update.html](http://www.tomorrow.org/speakup/learning21Report_2009_Update.html). The full report is available at: [http://www.blackboard.com/resources/k12/Bb\\_K12\\_09\\_TrendsUpdate.pdf](http://www.blackboard.com/resources/k12/Bb_K12_09_TrendsUpdate.pdf)

<sup>8</sup> Personal communication with Curt Fuchs, Coordinator of Educational Support Services, Missouri Department of Elementary and Secondary Education, July 20, 2009

<sup>9</sup> The other states are Kentucky, Alabama, Delaware, Maryland, South Carolina, Mississippi, New Hampshire, Pennsylvania, and West Virginia.

Missouri (SB291<sup>10</sup>) and Illinois (HB2448<sup>11</sup>) passed legislation in 2009 that provide some allowances for schools to count students taking online courses from a location other than school.

- In Missouri, the new legislation allows school districts to obtain state funding “for resident students who are enrolled in the school district and who are taking a virtual course or full-time virtual program offered by the school district.” Upon completion of the virtual course, the school district is able to claim 94% “of the hours of attendance possible for such class delivered in the non-virtual program.”<sup>12</sup>
- In Illinois, the new legislation allows school districts to create “remote educational programs” that meet quality control criteria specified in the legislation. Students participating in these remote educational programs qualify for state aid in the same manner as students attending traditional courses.

Florida has taken a much stronger legislative approach and starting with the 2009-10 school year, requires each district to provide a program for full-time online students in grades K-8 and full- or part-time online students in grades 9-12.<sup>13</sup> The legislation indicates that a school district has three options in providing a program:

1. Contract with the Florida Virtual School or establish a franchise of the Florida Virtual School.
2. Contract with a provider approved by the Florida Department of Education.
3. Enter into an agreement with another school district that has an approved virtual program to serve its students.

Seventeen school districts had established franchises of the Florida Virtual School as of late 2009.

In Michigan, the state superintendent has allowed school districts to request a waiver from seat-time requirements in order to provide online learning offerings to their students. Schools already can have students take up to two online courses, so the seat-time waiver is only required for students that will be taking three or more online courses. The first seat-time waiver was issued to the Traverse City Public Schools beginning with the 2007-08 school year. As of August 2009, 21 seat-time waivers had been issued by the Michigan Department of Education, including one waiver to an intermediate service provider that applied to all schools in the state.<sup>14</sup>

Traverse City partnered with the Michigan Virtual School to provide the online courses as well as conducting some blended courses with their own teachers and curriculum. They are satisfied with their program but have discovered that relatively few students were interested in taking more than two online courses at a time. During the 2008-09 school year, slightly over 10% of the high school students in the district participated in their virtual program, but only 19 students (less than 1% of the total high school population) took three or more online courses during a trimester and thus required the seat-time waiver.<sup>15</sup>

<sup>10</sup> SB291; retrieved July 22, 2009, [http://www.senate.mo.gov/09info/BTS\\_Web/BillText.aspx?SessionType=R&BillID=683252](http://www.senate.mo.gov/09info/BTS_Web/BillText.aspx?SessionType=R&BillID=683252)

<sup>11</sup> HB2448; retrieved July 20, 2009, <http://www.ilga.gov/legislation/billstatus.asp?DocNum=2448&GAID=10&GA=96&DocTypeID=HB&LegID=44612&SessionID=76>

<sup>12</sup> State funding calculations in Missouri are based on total hours of student attendance. The average student in Missouri attends 94% of the possible hours for non-virtual courses.

<sup>13</sup> Florida statute 1002.45; retrieved August 21, 2009, [http://leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=Ch1002/SEC45.HTM&Title=>2009->Ch1002->Section%2045#1002.45](http://leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch1002/SEC45.HTM&Title=>2009->Ch1002->Section%2045#1002.45)

<sup>14</sup> Personal communication with Dan Schultz, Senior Development and Policy Advisor, Michigan Virtual University, August 18, 2009

<sup>15</sup> Personal communication with Charles Kolbusz, Assistant Principal West Senior High School, Traverse City Public Schools, August 20, 2009

The total amount of activity in district level programs across the country is unknown. However, *Keeping Pace* survey data and information obtained through interviews provide a snapshot of online learning activity at the district level based on reporting from individual districts as well as organizations that work with districts (Table 4).

Program or provider	Number of schools or districts	Semester course enrollments in 2008-09	Unique students 2008-09
Traverse City Public Schools	1 district	441	363
Florida Virtual Franchises	8 districts	12,063	4,627
Virtual High School Global Consortium	572 schools	11,902	9,368
Total of district programs responding to <i>Keeping Pace</i> survey	16 districts	19,000	12,000
Aventa Learning	Unknown	55,000	27,000
Blendedschools.net	162 districts	263,000	77,000
Apex Learning	558 districts; 2,975 schools	711,305	197,590

**Table 4: District-level online learning activity.**

This limited data represents 1.07 million enrollments from approximately 330,000 students. While this data can't be used to extrapolate to the total district level activity, it is further confirmation of the significance of district level programs in the overall K-12 online learning numbers.

**University-run K-12 online programs have often been overlooked but are another component of the online learning landscape. Online programs that have emerged from previous independent study programs of post-secondary institutions tend to have relatively low levels of teacher involvement.**

Post-secondary institutions offer online courses for K-12 students, and similar to district programs, data for university-run programs are not widely available. Many, but not all, of these post-secondary programs consist mostly of post-secondary courses offered to advanced high school students for college credit or in dual credit programs. Often they are organized under the university as part of the continuing education division or the portion of the university that conducts outreach to the K-12 educational community. With most of these programs, the post-secondary institution issues the credit directly through the issuing of a transcript (or in some cases issuing of high school diplomas).

Many of these online programs have their roots in correspondence courses. Today these programs offer the courses online, and they often continue to offer the same paper-based versions of the courses. Examples of these programs include:

- Oklahoma University High School (started in 1910)
- Indiana University High School (started in 1925)

- University of Nebraska Independent Study High School (started in 1929)
- Brigham Young University – Independent Study
- University of Missouri High School

Perhaps because of their roots in correspondence courses, these programs tend to offer self-paced, open enrollment courses, with students having a set time to complete a course (normally between nine and 12 months). Students may complete courses at a faster pace, and usually they can obtain an extension to complete a course for an additional fee. The number of teachers per student in each course is higher than in most K-12 online programs, and the level of teacher-student communication is lower.

Fees for these courses are typically much lower than the course fees charged by other online programs that are not funded by states' education funding formulas or state appropriations; they are also lower than the costs of delivering a course for most K-12 online programs. However, the university programs often have additional fees for items such as the initial program application, textbooks, and shipping fees. For students who do not perform well at first, a per assignment/exam fee for having the item graded a second time is typical, a practice that is likely rooted in the historical foundations of a correspondence school.

Post-secondary programs that began as correspondence schools often provide a high school diploma. The University of Missouri has both a regular and college preparatory diploma program, and Indiana University has three diploma programs—general education, college preparatory, and academic honors. Brigham Young University doesn't issue high school diplomas but does have transcript programs that represent a full high school curriculum, including a standard and college preparatory transcript program. Often these diploma programs are targeted towards learners older than 18, although regular high school students are eligible for the programs. For the University of Missouri, students who are under 18 and from the United States must either have written permission from their school district to enter the diploma program or proof that the student is in compliance with his or her state's homeschool requirements.

There are some university-based K-12 online programs that are not rooted in the correspondence school tradition. One example is Stanford University's EPGY (Education Program for Gifted Youth). EPGY's courses are targeted specifically for gifted students grades 7-12, and students must complete a competitive admission process prior to beginning the program. Courses are organized by semester (including a summer term), and extensive teacher and other support is provided. The cost of the program is typical of a high-end private school with full-time students (4 or more courses) charged \$13,000 per year. EPGY also has an open enrollment program but it requires the student's local school district to participate in the program as much of the support services are provided by the local school. Courses in the open enrollment program are limited to elementary and middle school math courses (through pre-algebra) and language art courses. Other universities with K-12 online programs for advanced students include Northwestern University and Oklahoma State University, but they are intended strictly as supplemental programs.

In recent years post-secondary institutions have become involved with state virtual schools. The Missouri Virtual Instruction Program is being run by an independent unit of the University of Missouri, and the newly created Montana Virtual Academy is housed within the University of Montana.



## Notes from the field

Each year we ask a few researchers and practitioners to contribute articles to *Keeping Pace*. These “Notes from the Field” differ from the rest of *Keeping Pace* in that they are not based primarily on the research done for *Keeping Pace*, but instead reflect the research and experience of the authors in a specific area. We thank these authors for their contributions!



### Quality Standards for Online Programs

**Liz Pape, Virtual High School Global Consortium**

**Matthew Wicks, Matthew Wicks & Associates**

*Liz Pape and Matthew Wicks are Co-chairs for the iNACOL Quality Standards for Online Programs Committee.*

Over the past three years, the International Association for K-12 Online Learning (iNACOL) has invested much time and effort in establishing voluntary national standards for all K-12 online learning programs. Starting in 2007, iNACOL conducted comprehensive literature reviews and research surveys of existing online course and teaching standards. Based on the research, iNACOL adopted online course and teaching standards that had been published by the Southern Regional Education Board (SREB). The resulting *National Standards for Quality Online Courses* included the SREB *Quality Online Course Standards*<sup>1</sup> and added an additional standard to address 21<sup>st</sup> Century Skills. For iNACOL’s *National Standards for Quality Online Teaching*, iNACOL adopted SREB’s *Standards for Quality Online Teaching and Online Teaching Evaluation for State Virtual Schools*.<sup>2</sup> The National Standards also added three additional standards for online teaching.

In 2009, the third area of standards, *National Standards of Quality for Online Programs*, was released. These three sets of standards are inter-related and when used together, they provide the basis for a comprehensive assessment of program quality.

Unlike the first two sets of iNACOL national standards, the online program standards did not involve the endorsement of existing standards. Instead these standards are based on ideas and concepts from roughly 20 other documents along with contributions from experienced online learning practitioners.

The online program standards are divided into four areas: institutional, teaching and learning, support, and evaluation.

<sup>1</sup> iNACOL, *National Standards for Quality Online Courses*; retrieved September 14, 2009, <http://www.inacol.org/research/bookstore/detail.php?id=6>, and SREB, *Quality Online Course Standards*; retrieved September 14, 2009, [http://www.sreb.org/programs/EdTech/pubs/2006Pubs/06T05\\_Standards\\_quality\\_online\\_courses.pdf](http://www.sreb.org/programs/EdTech/pubs/2006Pubs/06T05_Standards_quality_online_courses.pdf)

<sup>2</sup> iNACOL, *National Standards for Quality Online Teaching*, <http://www.inacol.org/research/nationalstandards/NACOL%20Standards%20Quality%20Online%20Teaching.pdf>

Institutional standards address the foundational aspect of the program including mission, governance, leadership, planning, staffing, organizational commitment, and financial resources.

Teaching and learning standards are already addressed in detail in the first two sets of iNACOL national standards. The online program standards assume that a quality program is already addressing these two standards and thus do not attempt to duplicate them. Instead, the program standards identify “the most critical aspects of those standards” and present a “more comprehensive, ‘macro-level’ set of standards to truly be considered a quality online program.”

Support standards address how support is provided for the faculty, students, and parents/guardians. They also address the topic of guidance services and organizational support.

Finally, evaluation standards represent the view that a mindset of continual improvement is a necessity for a quality online program and provide standards related to program evaluation and improvement.

In addition to the standards, the Quality Standards for Online Programs document adopted an existing rubric developed by David Graf and Maisie Caines<sup>3</sup> as the basis of rating a program’s performance relative to the standards. The rubric has a 5 point scale ranging from Confusing (1) to Exemplary (5). The committee recognized that with the broad scope of these standards, a good online program would excel in some areas, while perhaps needing additional work in other areas.

A middle rating of Promising (3) is considered the minimal level for a quality online program. However, by its very nature, a rating of Promising indicates that there is room for improvement to the rating of Accomplished (4) or Exemplary (5).

The completion of the iNACOL *National Standards for Quality Online Programs* was truly a collaborative effort involving the contributions of online learning practitioners as well as individuals with expertise in program accreditation. With their release, programs now have the guidelines available to benchmark online learning program performance.



## Using Data to Improve Outcomes in K-12 Online Learning

**Joseph R. Freidhoff, Michigan Virtual University**

*Joe Freidhoff is an education research analyst at Michigan Virtual University.*

The electronic medium of online learning provides an inherent advantage in data collection compared to physical classrooms because the digital nature of learning, and associated communications such as student registrations, can be automatically captured. Access to more data, however, does not ensure data will be used in meaningful ways. Considering online learning data from pre-course, in-course, and post-course perspectives provides a useful framework for thinking about how data can be leveraged to maximize educational impact.

<sup>3</sup> Graf, David & Caines, Maises. (2000). WebCT Exemplary Course Project Scoring Rubric; retrieved June 23, 2009, <http://www.webct.com/Communities/library/iteminformation?source=brosw&objectID=4367802>

## Pre-course data

Though discussion of data collection in virtual schools often focuses on student performance data collected within the Learning Management System (LMS), data collection and analysis can begin prior to students even beginning their courses. Student enrollment systems often capture student demographic information as well as background information about the schools or areas from which the students are coming. On its own, such information can be used to generate descriptive profiles of online students such as gender, grade-level, and course enrollment statistics. External data sources like the *Common Core of Data*<sup>4</sup> or data available through state agencies can be merged with student enrollment data to yield even richer descriptions such as the percentage of online K-12 students in the online program who come from rural areas or cities, attend Title 1 schools or schools that failed to meet AYP, or go to school with 400 other students or 2,000 other students.

## In-course data

Once courses begin, there is a wealth of data available to teachers and support staff to help online students succeed. Many LMS track student login and click activity, among other things. This information captures students' digital footprints allowing for reports to be run that show the time of day and day of the week students are most active, or in which sections of the course they have spent time and those they have yet to access. Some LMS utilize early warning systems that can notify instructors and students if performance falls off. For instance, automatic alerts can be set up to identify students who are not logging in frequently enough. Other signals exist to indicate to students, parents, and teachers that the students are keeping pace in their courses. Data dashboard displays can use graphics or colors such as green, yellow, and red to visually display students' progress toward successful course completion.

## Post-course data

Formative assessment continues beyond the end of courses. Instructors and product development teams utilize data collected from LMS discussion boards, messaging systems and end-of-course surveys to refine course content and pedagogical strategies for future iterations of courses.

Data analysis also shifts to include summative evaluation. Summative analyses can draw on student final scores to calculate completion and proficiency rates for individual students, courses, or teachers, or for all courses within a content area or during a specific semester. More in-depth investigations might compare sub-populations of interest—for instance the performance between males and females, credit recovery students and non-credit recovery students, or first-time online students and returning online students.

A challenge virtual schools face when it comes to data collection and analysis is drawing comparisons with student performance in traditional brick-and-mortar schools. A recent report<sup>5</sup> from the U.S. Department of Education which sought to compare K-12 student performance in face-to-face and online settings found too few K-12 studies to extract research-based recommendations for best practices. Virtual schools will need to develop mutually beneficial relationships with state agencies for sharing information about student performance within traditional school and online environments. Through such data exchanges, online learning data has the potential to transform both virtual and face-to-face classrooms.

<sup>4</sup> National Center for Educational Statistics; retrieved September 14, 2009, <http://nces.ed.gov/ccd/>

<sup>5</sup> Means, B., Toyama, Y., Murphy, R., Bakia, M., & Jones, K. (2009). *Evaluation of evidence-based practices in online learning: A meta-analysis and review of online learning studies*; retrieved July 6, 2009, <http://www.ed.gov/rschstat/eval/tech/evidence-based-practices/finalreport.pdf>



# Innovations in Online K-12 Teaching and Learning

Rick Ferdig, Kent State University

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Many early online courses mirrored face-to-face correspondence classes. Teachers and students would send assignments, instructions, questions, and feedback through text and the occasional image; the innovation was the use of email rather than pen and paper. Fast forward to 2010 and you will find virtual schools using *learning and content management systems, personal learning environments, video conferencing*, and other technological tools to deliver synchronous and asynchronous instruction to students throughout the world. Simple text has been replaced by everything from video to interactive virtual worlds, and from games and simulations to portable learning devices.

In our research in the AT&T funded *Virtual School Clearinghouse*<sup>6</sup> project, we have been able to explore online K-12 classes throughout the United States. Although the classes vary in terms of delivery methods, most completely online courses tend to use a learning management system that is either home-grown or provided through a vendor (open source or commercial). In these environments, teachers deliver content through recorded presentations, delivered assignments, video, synchronous chats, asynchronous forums, and various widgets. Widgets could best be described as smaller self-contained tools like online graphing calculators, mathematical simulations, science experiments, etc. Teachers are also finding innovative way to connect with their students through Voice-Over-IP (VOIP), interactive whiteboards, and collaborative online tools (e.g. group software or web-conferencing tools, both open source and commercial).

Due to the extreme variability between and within virtual schools, the curriculum they offer, their pedagogical beliefs, the students they support, and the instructional tools they employ, it is obviously extremely complex to measure which of these tools are directly related to the success or failure of online courses. What we have found, however, is that there is a direct connection between the ability of a teacher to utilize multiple tools to support the learning of their students and the outcomes of those students. In other words, a teacher who is experienced with various technologies and is flexible in his or her thinking is able to provide the content in an appropriate way to meet the needs of his or her students.<sup>7</sup>

Therefore, professional development is obviously critical to the continued success of any virtual school program. However, it is also important for virtual schools to continually evaluate the promise and potential of innovative tools for teaching and learning. Some new tools might engage students in new ways. Others are already providing evidence of helping teachers accomplish their pedagogical goals. And, still others have already been adopted by students and would make excellent delivery platforms for new content. Out of nearly countless potential innovations, following are four key categories that virtual schools should consider.

1. **Social software.** Social software includes such things as blogs, wikis, social networking sites (e.g. Facebook), conferencing tools, and social bookmarking sites. Fears of security, safety, cheating, bullying, and other inappropriate uses have found many schools banning social

<sup>6</sup> *Virtual School Clearinghouse* project; retrieved September 14, 2009, <http://www.vsclearinghouse.com/>

<sup>7</sup> DiPietro, M., Ferdig, R. E., Black, E.W. & Preston, M. (2008). Best practices in teaching K-12 online: Lessons learned from Michigan Virtual School teachers. *Journal of Interactive Online Learning*, 7(1), 10-35; and Ferdig, R.E. (2006). Assessing technologies for teaching and learning: Understanding the importance of technological pedagogical content knowledge. *British Journal of Educational Technology*, 37(5), 749-760.

software sites. However, we have found that students learn about classes, plan daily activities, and even get tutoring through such tools. Students report that they value schools being willing to “meet them where they are” and with tools they are already using.<sup>8</sup>

2. **Games and simulations.** Although there is a lot of bad publicity about violence and video games, research tells us: a) games and simulations consume a significant portion of the life of an average student;<sup>9</sup> b) games and simulations can positively motivate students to learn;<sup>10</sup> and c) games and simulations can encourage and support both teaching and learning.<sup>11</sup> Many virtual schools are already using simulations in their courses; much fewer are using actual games. Florida Virtual School made headlines recently by launching Conspiracy Code, aimed at teaching students about history. Virtual schools should continue to examine games and simulations by looking at the possibilities of teaching with commercial games, teaching with educational games, and then also the development of games as an instructional method. Scratch<sup>12</sup>, for instance, encourages students to master content in order to create games and animations.
3. **Interactive learning environments.** Existing virtual school content is generally delivered through a learning management system or through video/web conferencing. Innovative schools have begun to expand their practice to consider education in virtual worlds in two important ways. The first is through a personal learning environment (PLE), a system by which students control their own access to learning. Some practitioners refer to a PLE as a mash-up, because it provides a way for students to gather all of their resources into one location. ELGG<sup>13</sup> is an example of a PLE. A second experiment has been with delivery of content through virtual worlds such as Second Life or Activeworlds EDU. Early research has demonstrated engagement in spatial electronic worlds can not only enhance collaboration,<sup>14</sup> but it can also have important outcomes for content skills like mathematics (Kaufmann et al., 2003).<sup>15</sup>
4. **Delivery mechanisms.** Social software, games, and innovative delivery methods like PLEs and virtual worlds all focus on the method of delivery. But it is also important to focus on the reception of content. Most of the traditional methods and even the innovative methods still focus on the student sitting at a desktop or laptop computer. There is very little research on virtual schools using MP3 players, cellphones, web-based mobile devices like iPhones and Blackberries, iTouches, and other personal electronic devices to reach students outside of their home or school environments (Wagner, 2008; Fels et al., 2003).<sup>16</sup> Innovative reception methods will be critical as we move to offer curriculum to elementary grades, where traditional means may not be feasible or appropriate.

<sup>8</sup> Coutts, J., Dawson, K., Boyer, J., & Ferdig, R.E. (2007). Will you be my friend? Prospective teachers' use of Facebook and implications for teacher education. In Crawford, C., Carlsen, R., McFerring, K., Price, J., Weber, R. & Willis, D. A. (Eds.) *Society for Information Technology & Teacher Education International Conference Annual, 1937-1941*. Norfolk, VA: Association for the Advancement of Computing in Education (AACE).

<sup>9</sup> Kahne, J., Middaugh, E., & Evans, C. (2008) "The Civic Potential of Video Games." White paper. The John D. and Catherine T. McArthur Foundation. Available from: [http://www.civicsurvey.org/White\\_paper\\_link\\_text.pdf](http://www.civicsurvey.org/White_paper_link_text.pdf)

<sup>10</sup> Garris, R., Ahlers, R., & Driskell, J.E. (2002). Games, motivation, and learning: A research and practice model. *Simulation & Gaming*, 33 (4), 441-467.

<sup>11</sup> Squire, K. (2006). From Content to Context: Videogames as Designed Experience. *Educational Researcher*, 35(8): 19-29; and Ferdig, R. E., & Boyer, J. (2007). Can game development impact academic achievement? *T.H.E. Journal*. [Online]. Available at <http://www.thejournal.com/articles/21483>

<sup>12</sup> Scratch; retrieved September 14, 2009, <http://scratch.mit.edu/>

<sup>13</sup> ELGG; retrieved September 14, 2009, <http://elgg.org/>

<sup>14</sup> Dickey, M.D. (2005). Three-dimensional virtual worlds and distance learning: two case studies of Active Worlds as a medium for distance education. *British Journal of Educational Technology*, 36 (3), 439-451.

<sup>15</sup> Kaufmann, H. & Schmalstieg, D. (2003). Mathematics and geometry education with collaborative augmented reality. *Computers and Graphics*, 27(3), 339-345.

<sup>16</sup> Wagner, E. (2008). Realizing the promises of mobile learning. *Journal of Computing in Higher Education*, 20(2), 4-14; and Fels, D., Samers, P., & Robertson, M. (2003). Use of asynchronous Blackberry technology in a large children's hospital to connect sick kids to school. Paper presented at the *International Conference on Computers in Education*, Hong Kong.

Innovative technologies inherently come with problems. For instance, many schools block games and other social sites through firewalls. Some of the more innovative technologies require higher end computers or faster connections. Convincing parents about the use of some of these tools has been a major source of conflict for some virtual schools. And, training teachers to think differently about education delivery mechanisms takes time and funding. However, each of these innovative means of delivery or reception promise benefits for both teachers and students.



## Demographics of Participants in Online Programs

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The demographics of students nationwide who are participating in online learning or virtual schools are largely unknown for two main reasons. First, the breadth of online programs and lack of a common definition of online students mean that many online programs, particularly supplemental programs, do not have to provide demographic data at all. Second, although all public schools, including full-time online schools, must report demographic data, states do not always require each program within a school or school district to report such data. Therefore there is no guarantee that student demographics in a given online school will be disaggregated from the rest of the school or district. Full-time online schools are more likely to collect and report such data than supplemental programs, but even with full-time online schools the data are often not available.

The lack of information about online student demographics has consequences for online learning policy and practice. A recent paper published by the International Association for K-12 Online Learning described the unintentional consequences that may arise from not knowing student demographics. "Without the collection and analysis of disaggregated student data, there is no way to judge if students are treated equally or if students are differentially impacted."<sup>17</sup> Numerous studies in education, employment and online behavior have found wide variations in how people act and are treated due to their name, real or perceived cultural affiliation, and gender.<sup>18</sup>

In an effort to better understand the demographic characteristics of online students nationwide, David B. Glick & Associates, in cooperation with iNACOL, surveyed all member programs of iNACOL in May 2009. Programs were asked to describe the demographics of students in their programs or, if such information was unavailable, the reasons they did not keep or wish to provide such information. Of the 31 programs that responded to the survey, only six programs were willing and able to identify the ethnic demographics of their students. Nine programs provided gender data. Of the programs that did not provide data, nine programs provided reasons for not doing so. For example, four programs indicated that they simply do not collect it, and one program that stated, "We don't feel it would be relevant or helpful." One respondent, Florida Virtual School, comprises the vast majority of students represented.

<sup>17</sup> Rose, R. and Blomeyer, R. (2007). Access and Equity in Online Classes and Virtual Schools. International Association for K-12 Online Learning (iNACOL), p. 6; retrieved July 22, 2009, [http://www.inacol.org/resources/docs/NACOL\\_EquityAccess.pdf](http://www.inacol.org/resources/docs/NACOL_EquityAccess.pdf).

<sup>18</sup> For example: Spooner, T. and Rainie, L. (2000) African-Americans and the Internet. Pew Internet and American Life Project; retrieved July 22, 2009, [http://www.pewinternet.org/~media/Files/Reports/2000/PIP\\_African\\_Americans\\_Report.pdf.pdf](http://www.pewinternet.org/~media/Files/Reports/2000/PIP_African_Americans_Report.pdf.pdf); Madden, M. (2003). America's Online Pursuits: The changing picture of who's online and what they do. Pew Internet and American Life Project; retrieved July 22, 2009, [http://www.pewinternet.org/~media/Files/Reports/2003/PIP\\_Online\\_Pursuits\\_Final.PDF.PDF](http://www.pewinternet.org/~media/Files/Reports/2003/PIP_Online_Pursuits_Final.PDF.PDF); and Bertrand, Marianne and Sendhil Mullainathan. "Are Emily And Greg More Employable Than Lakisha And Jamal? A Field Experiment On Labor Market Discrimination," American Economic Review, 2004, v94 (4,Sep), 991-1013. Digest; retrieved July 22, 2009, National Bureau of Economic Research, <http://www.nber.org/digest/sep03/w9873.html>

Given the small sample size and self-selecting nature of the responses, the survey results are unscientific and cannot be said to represent online programs nationwide. Extreme caution is advised in interpreting the data or drawing any conclusions from it.

The six programs that provided demographic data represent 82,479 students. Tables 1 and 2 below show their demographic breakdown compared against nationwide K-12 student demographics. The data presented hint at possible discrepancies between online populations and national populations as related to race and gender. However, as cautioned above, this data is unscientific and extreme caution must be applied in drawing any conclusions.

Given the wide variety of online programs and the variations and limitations of state reporting requirements, the virtual schooling community would be well served by collecting and sharing student demographic data. Our intent is to survey programs annually to enable the creation of an increasingly valid picture of students participating in online courses on both a full-time and part-time basis. However, identifying the demographic characteristics provides a mere starting point. Ultimately we wish to understand the critical issues of equitable access, opportunity, quality and, ultimately, achievement for all students.

**Table 1: Ethnicity of online students in surveyed online programs compared to national demographics.**

Students	Six online programs (n = 82,479 students)	Nationwide K-12 demographics (n = 45.9 million <sup>19</sup> )
White/non-Hispanic	59.4%	56.5%
Hispanic/Latino	16.1%	20.5%
Black/non-Hispanic	14.1%	17.1%
Other	6.6%	not available
Asian	3.3%	4.7%* (Includes Native Hawaiian/Pacific Islander)
Native American	0.50%	1.2%
Native Hawaiian/Pacific Islander	0.0048%	* (Included in Asian)

**Table 2: Gender of online students in surveyed online programs compared to national demographics.**

Students	Nine online programs (n = 94,237 students)	Nationwide K-12 demographics (n = 48.4 million <sup>20</sup> )
Male	43.3%	51.4%
Female	56.7%	48.6%

<sup>19</sup> National Center for Education Statistics (NCES) (2006). Digest of Education Statistics Table 41; retrieved July 22, 2009, [http://nces.ed.gov/programs/digest/d08/tables/dt08\\_041.asp](http://nces.ed.gov/programs/digest/d08/tables/dt08_041.asp). Numbers are from 2006, the most recent data available.

<sup>20</sup> National Center for Education Statistics (NCES) (2007). Common Core of Data; retrieved July 22, 2009, <http://www.nces.ed.gov/ccd>



# Online Laboratory Science: An Update on Policy, Research, and Practice

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One of the challenges for high school level online programs is how to teach science courses with a laboratory component, and in particular how to address the laboratory requirements of Advanced Placement (AP) science courses. While this issue has been recognized for as long as online science courses have been offered, its prominence has been raised recently, catalyzed in part by the AP course audit that has been conducted by the College Board.

The specific College Board policy is as follows:

AP Biology, Chemistry, Environmental Science and Physics courses can only be labeled “AP” if they include a hands-on laboratory and/or field experience component. Schools that cannot meet the minimum time required to be spent engaged in hands-on laboratory or field experiences are eligible for a one-year conditional authorization. The conditional authorization permits the use of the AP designation in conjunction with courses that meet all AP curricular requirements for the course but due to the delivery model cannot meet the minimum time required to be spent in hands-on laboratory investigations and/or fieldwork.

As of August 2009, the College Board is continuing its policy of providing “one-year conditional authorization” to courses that, aside from the lab requirement, meet all other required elements for authorization. This policy is in effect for the 2009-10 school year but is reviewed annually by the College Board and is subject to change in the future.

While this “conditional authorization” policy gives virtual schools and other online course providers some breathing room with respect to approval of their online AP science courses, the College Board is only one of several organizations that have policy statements that are either implicitly or explicitly against accepting online laboratory experiences:

- **College Board:** “For the purpose of the AP Course Audit, the College Board considers computer-based or teacher-led demonstrations neither a virtual nor hands-on laboratory experience in and of themselves, though these elements may enhance the course’s primary laboratory component.”<sup>21</sup>
- **University of California Office of the President:** “Online lab science courses will not be approved unless they include a supervised wet lab component. Since UC has not seen computer software that adequately replicates the laboratory experience, computer simulated labs will not be acceptable.”<sup>22</sup>
- **American Chemical Society:** “The Society believes that computer simulations are not a substitute for student hands-on laboratories from the kindergarten level through undergraduate education.”<sup>23</sup>

<sup>21</sup> <http://www.collegeboard.com/html/apcourseaudit/faq.html#name2>

<sup>22</sup> <http://www.ucop.edu/a-gGuide/ag/faq.html#C81>

<sup>23</sup> [http://portal.acs.org/portal/PublicWebSite/policy/publicpolicies/invest/WPCP\\_011529](http://portal.acs.org/portal/PublicWebSite/policy/publicpolicies/invest/WPCP_011529)

These policies are not well-supported by research. The research literature comparing efficacy of remote, simulated, and hands-on labs has shown that in most cases there is no significant and consistent difference in learning outcomes between students doing hands-on versus remote labs.<sup>24,25</sup> It may be that some of these policies may be based on an outdated perception that all online science is done through “computer simulations.” However, members of the K-12 virtual school community know that there is a large and growing toolbox of cyberlearning technologies available, including tools for analyzing geospatial datasets (e.g., Watershed Dynamics<sup>26</sup>, Fieldscope<sup>27</sup>), immersive role-playing games (e.g., Urban Science<sup>28</sup>, River City<sup>29</sup>), augmented reality games,<sup>30</sup> and remote online laboratories where students run experiments on real lab equipment via their web browser (e.g., The iLab Network<sup>31</sup>), among many others.

These policy statements have real impact on the lives of students, particularly those from underserved areas where access to high quality science courses (AP or otherwise) are limited or non-existent. Without being able to access online AP courses, these students will be at a significant competitive disadvantage when applying for college admissions relative to their peers from larger, wealthier schools that provide a full complement of AP science courses.

In June 2008, the Committee on Online Science of the International Association for K-12 Online Learning (iNACOL) published “Goals, Guidelines, and Standards for Student Scientific Investigations,”<sup>32</sup> a whitepaper intended to help clarify numerous issues raised by the AP Course Audit. The whitepaper, based on authoritative science education publications including *America’s Lab Report*,<sup>33</sup> *National Science Education Standards*,<sup>34</sup> and *Benchmarks for Scientific Literacy* (AAAS, 1994),<sup>35</sup> and referencing the relevant research literature, sought to provide specific guidance to science teachers and curriculum developers on how to structure educationally meaningful laboratory experiences in either hands-on or online formats. It also attempted to fill in a policy void between *America’s Lab Report* and various policies affecting online science courses. Finally, the whitepaper sought to acknowledge the role that modern scientific tools and practices, including scientific cyberinfrastructure, should play in science education.

iNACOL’s Committee on Online Science continues to engage with the College Board and other organizations to help expand student access to rigorous online science courses and resources, to educate all stakeholders on the research supporting the use of cyberlearning tools for science courses, and to advocate for policy change that is inclusive of a range of approaches to providing high quality science learning for students in traditional and virtual school settings.

<sup>24</sup> Ma, J., and Nickerson, J. (2006). Hands-on, simulated, and remote laboratories: A comparative literature review. *ACM Computing Surveys*, 38, No. 3, 1-24.

<sup>25</sup> Triona, L. M. & Klahr, D. (2003) Point and Click or Grab and Heft: Comparing the influence of physical and virtual instructional materials on elementary school students' ability to design experiments. *Cognition & Instruction*, 21, 149-173.

<sup>26</sup> <http://www.globe.gov/fsl/html/templ.cgi?watersheds>

<sup>27</sup> <http://www.fieldscope.us>

<sup>28</sup> <http://epistemicgames.org/eg/category/games/urban-planning/>

<sup>29</sup> <http://muve.gse.harvard.edu/rivercityproject/>

<sup>30</sup> <http://lgl.gameslearningsociety.org/games.php>

<sup>31</sup> <http://www.ilabccentral.org>

<sup>32</sup> Jona, K., Adsit, J. with Powell, A and NACOL Online Science Committee. (2008). *Goals Guidelines and Standards for Student Scientific Investigations*. North American Council for Online Learning (NACOL); retrieved August 23, 2009, [http://www.nacol.org/docs/NACOL\\_ScienceStandards\\_web.pdf](http://www.nacol.org/docs/NACOL_ScienceStandards_web.pdf)

<sup>33</sup> National Research Council. (2006). *America’s Lab Report: Investigations in High School Science*. Committee on High School Science Laboratories: Role and Vision, S.R. Singer, M.L. Hilton, and H.A. Schweingruber, Editors. Board on Science Education, Center for Education. Division of Behavioral and Social Sciences and Education. Washington, DC: The National Academies Press.

<sup>34</sup> National Research Council (NRC). (1996). *National science education standards*. Washington, DC: National Academy Press.

<sup>35</sup> American Association for the Advancement of Science (AAAS). (1994). *Benchmarks for science literacy*. New York: Oxford University Press.



# Online Course Funding: the Influence of Resources on Practices

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Funding for online courses is an economic, political and educational issue that includes the budgeting process enabling course providers to operate, the actual costs of producing and offering courses, and the price at which courses are provided to students. These components of the funding picture operate within the context of local and national policy as well as competition among course providers.

This overview does not account for the full complexity of the funding environment of virtual courses but rather outlines the factors that influence budgets, costs and prices, and then discusses potential impacts on the student experience.

Virtual courses enrich the education experience of individual students and allow schools to differentiate their programs in response to student needs. Thirty percent of school leaders in a 2008 national survey stated that online and blended courses are financially beneficial in their schools—a number that grew from 25 percent in 2007.<sup>36</sup> The same survey found that nearly 50 percent of school leaders had concerns over course development costs and the funding basis for online and blended courses.

Many of the costs of online programs parallel those of on-ground programs: instructors, administrators, staff, professional development, curriculum and materials, assessment and evaluation, and data systems. Online programs have little to no cost for instructional facilities, transportation, and related staff. However, they must fund a substantial technology infrastructure including a course management system and support staff, as well as course design. Costs of some online courses also include technology devices, infrastructure, and learning facilitators needed for student success.

Virtual school costs and funding models vary widely. Some virtual schools do not fund course development in-house, electing to purchase courses from other providers, thus benefiting from economy of scale. Many virtual schools function as course providers rather than as full-service schools. These schools fund teachers and other staff to manage the administrative and technical aspects of course delivery, but may not provide exceptional education teachers, school counselors, media specialists and resources, clubs and activities, and professional development services.

Any analysis of online course costs and potential efficiencies must account for the range in virtual schools types. Expenditures of virtual schools include:

- Salaries and benefits of teachers, administrators, facilitators, designers and other organizational staff in the school offering the course
- Technology infrastructure including servers, desktop computers, network services, and student computer, if they are provided by the school
- Learning management system and other information systems such as student information

<sup>36</sup> Picciano, A. & Seaman, J. (2009). K-12 Online Learning: A 2008 Followup of the Survey of U.S. School District Administrators. Needham, MA: Sloan Consortium

- Software and licensing
- Professional development and substitute teachers
- Evaluation, accreditation, and memberships
- Services used by the school including security, legal, and insurance
- Other equipment and supplies
- Facilities and utilities, maintenance, loss and replacement
- Promotion, marketing and communications
- Travel

Likewise, any examination of online courses costs must account for the range of services included with the course content and instruction. Factors influencing cost and quality of a course include:

- Course content: currency, alignment with standards, rigor, completeness
- Course media: richness and relevance
- Course interactivity among instructors, students and others
- Student-teacher ratio and success rate to yield cost per successful student
- Services for at-risk, exceptional, and limited-English learners
- School counselors
- Tutors and site facilitators
- Technical support
- Technical and content materials and equipment including lab materials
- Librarians and library materials
- Support for parents
- Extramural activities like clubs, trips and competitions

Several recent trends in online education influence course funding. First, as expertise in online course development and teaching grows in local schools, more schools will franchise or form their own online programs, changing the role of the large established virtual schools from being the direct providers of courses to students. These virtual schools will shift to a supporting role by providing design expertise, teacher preparation and development, data services, and other activities that return courses to local schools and impact funding. Second, open education resources (OER) have become part of the course funding model by making the cost of a course more efficient. Estimating the true costs of offering online courses and the potential efficiencies of designing online and blended courses with OER is complex.



## Outlook and conclusion

A year ago the hot topic of conversation among online educators and policymakers was the book *Disrupting Class*, which predicted that half of all high school courses would be online within a decade, signaling a market-driven transformation of American education not unlike that unleashed by the personal computer upon American business. While in agreement with many aspects of the book, *Keeping Pace* cautioned that neither the growth nor the transformation anticipated by *Disrupting Class* was a sure thing. High growth rates in the early years of online learning did not guarantee that such growth would continue or would fundamentally change American education, in particular because public education is not a free market, and because students and parents often are not the primary purchasers or decision-makers regarding their online options in many states.

As of late 2009, both sides of the argument have evidence in their favor. Those who believe such a transformation is already underway can point to the steady growth (in the range of 25%-40%) of many state virtual schools, online school providers operating nationally, and total online student populations in states, along with the number of states that have created new online schools for the first time for school year 2009-10. Meanwhile, the skeptics can point to lingering misgivings about online learning as evidenced by a handful of states where online learning options were restricted in 2009.

### Accelerating growth

Our view is that the growth line will continue to trend sharply upward. Among the states where online options are not growing, we are hopeful that the situation is temporary. In states where growth has slowed due to budget constraints, we expect investments to again be made in transforming learning when state budgets rebound in the next several years. In states in which politics and policy questions have slowed the expansion of online learning, we expect that the pattern from previous policy debates in states such as Wisconsin, Pennsylvania, and Colorado will continue, and ultimately policymakers will weigh the evidence and allow for the development or expansion of online options.

Our views about growth are cemented by the significant activity now emerging at the individual school district level. School districts are where most American education trends reach lasting scale, if only because the local school district remains the place where the large majority of students “go to school.” State virtual schools, online charter schools, consortia of online programs, and other non-district programs have, to this point, been the catalysts of most online learning activity. Those programs have grown rapidly but still reach a very small percentage of the overall student population—not much more than 1% nationally, and within single digit percentages even in the states with the most online learning activity. Individual school districts are now becoming much more involved with online learning, with their involvement taking countless different paths. Some

are working in partnership with state virtual schools and sending ever-larger number of students to these schools; some are working with national online course or program providers to offer their own online options; some are creating their own programs, either developing their own courses or using the open educational resources available online. We see the bulk of growth in K-12 online learning in the next several years taking place primarily in these district programs, whether working in conjunction with existing online entities or on their own. That is not to say that we expect the growth of state virtual schools and online charter schools to slow—in fact all signs point towards continued overall growth in these sectors as well. However, we anticipate that the growth in online learning will increasingly move to the traditional central point of education for most students—their local school—and will take many forms from full-time online programs, to individual supplemental online courses, to courses that blend online and face-to-face components.

## And what of transformation?

If the continued growth of online learning across the K-12 landscape now seems assured, what of the question of transformation? Will expanding online learning opportunities make a truly qualitative difference in American education over the long term?

We believe that the answer is yes, and further that online learning's relationship with education reform and innovation may turn out to be symbiotic rather than causal.

The growth of online options is occurring within an educational system that is undergoing other fundamental changes. Online learning can and should be a major component of each of these important reforms; in fact, each of these efforts both makes the case for and benefits from online education:

- The American Recovery and Reinvestment Act, otherwise known as the stimulus, is being used by the federal government to push for fundamental education reforms, particularly through the Race to the Top grants to states. Online learning advocates in a number of states have made their case for inclusion in the states' Race to the Top proposals, emphasizing the impact that online learning has demonstrated in promoting college readiness, improving availability of excellent teachers, and helping turn around low-performing schools through blended implementation, among others. The influx of large amounts of federal funding will likely spur significant additional online learning growth while deeply weaving online learning into states' focused reform efforts.
- Increasing the ways that data are used to drive education is an important priority of the stimulus that dovetails with a number of state initiatives already under way. Online learning provides an effective model for how data-driven instruction can work by generating objective and actionable data about every step of every lesson and how it advances student learning. Teachers in online environments are pioneers in using such data to make instructional decisions. Online learning will help drive improvement of state data systems and will benefit as student performance data become more granular, allowing linkages at the course level and beyond, and facilitating documentation of academic growth over time.
- Creating a national common core of academic standards is an effort rapidly gaining momentum among education leaders who recognize that the patchwork of state academic standards may be hindering reform and innovation. Online learning providers have long recognized the inefficiency of the current system, which prevents curriculum from benefiting students across state lines and undercuts the potential power of portability and scale in curriculum development. Online learning would clearly benefit from a common national approach to content standards and can provide a powerful template for how a common core approach allows improvement in both curriculum quality and accountability.

## A cautionary note

Amid all the growth and transformative potential of online learning, we must sound a cautionary note. While in the past we were concerned that online learning practice was outpacing online learning policy, we are now equally concerned that purchasing practices are outpacing available measures of quality. This could lead to a situation in which online learning options are nearly ubiquitous but have no positive qualitative impact on American education.

The rapid growth of online learning has created immense pressure on administrators—from parents, policymakers, and the purse—to offer their students an online option, *any* online option. Besieged by vendors dangling deals almost too good to be true, these school leaders are equipped as consumers with rather simplistic selection criteria that may boil down to: Does the content align with state standards? Are teachers certified in my state? How much does it cost?

These are all questions that must be asked, but they are minimum considerations that do not go nearly deep enough to guide a thoughtful choice of an online course or program. State content standards are so basic as to be a banal topic within a field of innovation. Choosing an online course because it happens to check off all the boxes that match the terms required by state content standards does little to ensure that students will actually learn the key topics and ideas. Similarly, asking whether teachers are certified in a particular state mires the teaching profession in an outdated, place-based delivery mode. Does anyone really believe that a teacher who has been successful teaching Algebra to inner-city students in Los Angeles can't do the same in New York because she hasn't been certified in the new state?

The larger issue, however, is that it is easy for low-quality, low-cost providers to say that they meet state content standards and teacher certifications. For budget-strapped administrators who must answer to school boards, it may be difficult to look past these two questions to ask whether the content is imaginative and engaging, whether it meets the online learning standards created by iNACOL and SREB, and whether teachers are able to interact meaningfully with students. Furthermore, data systems that can measure true student outcomes for online learning are not yet in place, especially at the supplemental course level. As a result, critically important decisions about online learning resources are all too often being made largely on the basis of price, which can lead to poor results for individual schools and for education as a whole.

The next five years or so present a challenge to online learning practitioners because they represent a period when online options are ever more widely available, but neither the quality measures nor data are yet in place to fully evaluate those options. Online educators uniformly welcome the promise of data systems that fully evaluate individual student outcomes, which will allow for a flourishing of innovation guided by actual results. The challenge is creating the bridge to that time while preventing a “race to the bottom” driven by price competition at the expense of quality.

It will be up to the online learning community to ensure that this transitional period is marked by efforts to increase the savvy of online learning consumers while embracing voluntary standards of quality and accountability. To fail on either count will be to squander an epochal opportunity.



## Program profiles

Online programs continue to proliferate, both in the number of programs and the types of programs. This section presents four types of programs and their common attributes among these programs, and then provides short profiles of a few programs in each category. The tables present representative online programs in each category and do not include all such programs in the country.

### State virtual schools

State virtual schools and state-led online initiatives are created by legislation or by a state-level agency. They are often, but not always, administered by a state education agency, and usually funded by a state appropriation or grant for the purpose of providing online learning opportunities to students across the state. They may also receive federal or private foundation grants, and sometimes charge course fees to help cover their operating costs. Most of these programs are supplemental, offering courses for students who are otherwise enrolled in a traditional school setting, and are not diploma-granting.

#### Most state-led programs share the following attributes:

- **Size:** Most had a few thousand to about 16,000 course enrollments (one student taking one semester-long course) in 2008-09.
- **Funding:** Funded primarily by legislative appropriation, sometimes supplemented by charging course fees.
- **Grade level:** Grade levels are primarily high school, with some middle school.
- **Full-time students:** Few or no full-time students; provide supplemental courses to students who are enrolled in another school full time.
- **Organization type:** Run by or within the state education agency.

#### Exceptions to the common attributes above include:

- **Size:** Florida Virtual School is roughly five times larger than any other state-led program, and ten times larger than most, with 154,125 course registrations in 2008-09.
- **Funding:** The growth of FLVS is in part due to its funding, which is based on public FTE funds. Any high school student in Florida can choose an FLVS course without restriction, and the funding tied to that student goes to FLVS. No other state-led program has this funding model.
- **Grade level:** Very few state-led programs offered elementary school in 2008-09; exceptions include the Missouri Virtual Instruction Program (MoVIP) and FLVS (in conjunction with Connections Academy)
- **Full-time students:** MoVIP and FLVS have full-time students, mostly in their K-5 programs.
- **Organization type:** Colorado Online Learning and the Michigan Virtual School are (or are part of) non-governmental, non-profit organizations. Idaho Digital Learning Academy is a government entity but is recognized (by legislation passed in 2008) as existing outside the state education agency.

## State virtual schools<sup>37</sup>

The programs listed in the following table are representative of state virtual schools but are not a complete list of all such schools in the country.

Program name	Start date	Governance	# Course enrollments	Grade levels	Full-time students?	# Courses, % licensed
Alabama ACCESS	Fall 2005	SEA	28,014	9-12	No	68, 59%
Arkansas Virtual High School	Spring 2000	SEA	5,363	9-12	No	42, no data on % licensed
Colorado Online Learning	Fall 1999	Independent NGO with partial state funding	1,777	9-12	No	70, 0%
Florida Virtual School	Fall 1997	Special school district	154,125	6-12	Yes, 6,264	124, 3%
Georgia Virtual School	Fall 2005	SEA	9,793	6-12	No	107, 10 courses were purchased and customized
Idaho Digital Learning Academy	Fall 2002	Gov't entity outside SEA	9,646	6-12	No	125, 1%
Louisiana Virtual School	Fall 2000	SEA (State Board of Education)	11,058	6-12	No	56, 14%
Illinois Virtual High School	Spring 2001	SEA	4,039	6-12	No	117, 24%
Michigan Virtual School	2000	NGO – state-funded 501c3	16,000	6-12	No	175, less than 10%
Mississippi Virtual Public School	Fall 2006	SEA	7,019	6-12	No	139, 100%
Missouri Virtual Instruction Program	Fall 2007	SEA	15,810	6-12	Yes, 686	236, 100%
North Carolina Virtual Public School	Summer 2007	SEA	15,721	6-12	No	123, 6%
South Carolina Virtual School	Fall 2007	SEA	10,298	9-12	No	Course count not listed, 50%
Virtual Virginia	Fall 2004	SEA	4,813	6-12	No	46, 34%
Wisconsin Virtual School	2000	LEA	1,762	6-12	Yes, 34	186, 100%
West Virginia Virtual School	Fall 2001	SEA	1,504	6-12	No	161, 98%

<sup>37</sup> Most of the data are based on the *Keeping Pace* 2009 program survey, which was developed and collected in conjunction with the Southern Regional Education Board. SEA means state education agency; LEA is local education agency; NGO is non-profit, non-governmental organization. For summer 2008 through spring 2009, one course enrollment is one student taking one semester-long course.

## Full-time, multi-district programs

Full-time online schools, sometimes called cyber schools, are online learning programs in which students enroll and earn credit and diplomas issued by the online school.

### Many full-time, multi-district programs share the following attributes:

- **Organization type:** Organized as a charter school that is often chartered by a district.
- **Affiliation:** Many schools are affiliated with a national organization, such as Connections Academy, K12 Inc., or Insight Schools, that provides courses, software, teacher professional development, and other key management and logistical support.
- **Geographic reach:** Attract students from across the entire state, in order to achieve scale; therefore most of these schools are in states that allow students to enroll across district lines and have funding follow the student.
- **All grade levels** are offered in online schools collectively, although individual schools may be limited to older or younger students.
- **Funding** is often provided via state public education funds that follow the student, though some are funded through appropriations, fees, or grants.
- **Enrollments:** Most have few or no part-time students, and most have enrollment of a few hundred to several thousand students (FTE).

### Exceptions to the common attributes above include:

- **Organization type:** Some states that do not have charter schools have districts that are offering online schools to students across the state. In some states such as Colorado, multi-district programs are a mix of charter schools and district programs.
- **Affiliation:** There are many online schools that are not affiliated with a national organization. Most of these are independent.
- **Geographic reach:** Multi-district schools in California are limited to drawing students from contiguous counties.
- **Funding:** Some states, for example Colorado, have established funding levels for online students that are different than funding for students in physical schools.

## Full-time, multi-district programs

National education management organizations operating full-time online schools						
Name	Start date	States in which company operates schools		Grade levels	# FTE enrollments	Part-time students?
Advanced Academics	2000	Full-time schools in California, Washington, Minnesota, Alaska, Nevada, and Oklahoma; additional programs with districts in 30 states		6-12	Not available	Yes
Connections Academy	Fall 2002	Arizona, California, Colorado, Florida, Idaho, Minnesota, Nevada, Ohio, Oregon, Pennsylvania, South Carolina, Texas, Wisconsin and Wyoming		K-12	20,000	No
K12 Inc.	1999	Arizona, Arkansas, California, Chicago, Colorado, Florida, Georgia, Hawaii, Indiana, Idaho, Kansas, Minnesota, Nevada, Ohio, Oregon, Pennsylvania, South Carolina, Texas, Utah, Washington, Wisconsin, and District of Columbia		K-12	56,000	No
Insight Schools	Fall 2006	California, Washington, Idaho, Oregon, Kansas, Colorado, Minnesota, and Wisconsin		9-12	Not available	No
iQ Academy	Fall 2003	Arizona, California, Kansas, Minnesota, Nevada, South Carolina, Texas, Washington, and Wisconsin		3-12	3,822	Yes, at some schools
Kaplan Virtual Education	2007	Florida, California, Washington, Wisconsin, Oregon, Colorado, Kansas, Arizona and Idaho		6-12	5,000	No

Full-time online schools						
Name	Start date	Organization type	# FTE enrollments	Part-time students?	Grade levels	Growth rate
Minnesota Virtual High School (Advanced Academics)	2007	Run by a district	Between 2,000-2,999	Primarily full-time	6-12	Increase more than 50%
Ohio Connections Academy	Fall 2003	Charter	Between 1,000-1,999	Primarily full-time	K-12	Increase between 25-50%
Oregon Virtual Academy (example K12 school)	Fall 2008	Charter	Between 250-499	Primarily full-time	K-8	Increase more than 50%
iSucceed Virtual High School (Insight School in Idaho)	Fall 2008	Charter	Between 500-749	Primarily full-time	9-12	Increase more than 50%
iQ Academy Kansas	Fall 2007	Run by a district	Between 250-499	A mix of full-time and part-time	6-12	Increase more than 50%
Pennsylvania Cyber Charter School	Fall 2000	Charter	Between 7,499-9,999	Primarily full-time	K-12	Increase 5-10%
Hope Online Learning Academy CO-OP (CO)	Fall 2005	Charter	3,944	Primarily full-time	K-12	No change
Primavera Online High School (AZ)	Summer 2003	Charter	3,300	About 2,800 full-time and 6,000 part-time	9-12	Increase 10-25%
Insight School of Washington	Fall 2006	Run by a district	1,800	Primarily full-time	9-12	Increase 25-50%
TRIO Wolf Creek Distance Learning Charter School	Summer 2002	Charter	435	Yes, 63	9-12	Increase 5-10%

## Single-district programs

Single-district programs serve students who reside within the district that is providing the online courses.

### Most single-district programs share the following attributes:

- Mostly supplemental, with some serving full-time students.
- Funded primarily by the district out of public FTE funds that are intermingled between the online program and the rest of the district. In most cases, there is no difference in funding between online and students in the physical setting.
- Grade levels are primarily high school, with some middle school.
- Often combine fully online and face-to-face components.
- Often include a focus on credit recovery or at-risk students.

### Exceptions to the common attributes above include:

- Several of the supplemental programs also serve full-time students. Clark County School District Virtual High School and Fairfax County Public Schools Online Campus both accept some full-time students, as does Broward Virtual School, though these students make up a small percentage of the overall course enrollments. Transition High School is a special school focusing on incarcerated, expelled, or truant students and serves full-time and supplemental students.
- In a few states with limits on students enrolling across district lines, single-district full-time online schools have emerged. One example is the Chicago Virtual Charter School.

## Consortium and other programs

There are a number of innovative online programs that do not fall neatly into state virtual school, full-time school, or single-district program designations. In most cases, these programs work collaboratively with school districts across one or more states, and in the case of the Virtual High School Global Consortium, across the country and the world.

### Single-district programs

Name	Start date	Grade levels	# Course enrollments or students	Growth rate
Chicago Public Schools Distance Learning	Fall 2001	6-12	Supplemental; 6,012 course enrollments	Increase 25-50%
Los Angeles Virtual Academy	Spring 2005	9-12	Supplemental; 620 course enrollments	Increase 10-25%
Fairfax County Public Schools Online Campus (VA)	Fall 2000	6-12	Supplemental; 1,200 course enrollments	Increase 10-25%
Cobb Virtual Academy (GA)	Summer 2001	9-12	Supplemental; 1,803 course enrollments	Increase 5-10%
Riverside Virtual School (CA)	Fall 2006	6-12	Supplemental with small full-time component; 1,484 course enrollments	Increase more than 50%
Hamilton County Virtual School (TN)	Summer 2005	K-12	Supplemental; 821 course enrollments	Increase 10-25%
West Bend School District Virtual Program (WI)	Spring 2009	9-12	Supplemental; 100 course enrollments	NA; program started in 2009
Broward Virtual School (FL)	Fall 2001	6-12	Primarily full-time; 3,982 students	Increase 10-25%
Pasadena Virtual School (TX)	2005	6-12	Supplemental; 357 course enrollments	Increase 25-50%
Miami-Dade Virtual School (FL)	Summer 2003	6-12	Supplemental; 900 course enrollments	No change (within 5% of the previous year)
Pacific Coast High School (CA)	1997	9-12	Supplemental with small full-time component; 4,580 course enrollments	No change (within 5% of the previous year)

### Consortium programs

Name	Organization type	Start date	Grade levels	Funding	# Course enrollments or students	Growth rate
Virtual High School Global Consortium (VHS)	Independent non-governmental	Fall 1997	6-12	Course fees and collaborative model; member schools pay an administrative fee and pay for professional development	Supplemental; 11,902 course enrollments	Increase 10-25%
Wisconsin eSchool Network	Independent non-governmental	Spring 2002	6-12	Education formula funding and grants	Both supplemental and full-time; between 1,000-1,499 students	Increase 10-25%

## Profiles of representative state virtual schools, online charter schools, education management organizations, and consortium programs

### Advanced Academics EDUCATION MANAGEMENT ORGANIZATION

Advanced Academics partners with schools and districts in more than 30 states, with eighteen full-time online programs in six states (California, Washington, Minnesota, Alaska, Nevada, and Oklahoma). The company's largest full-time programs include Minnesota Virtual High School, Oklahoma Virtual High School, Delta Pacific Online Charter School, Fairbanks BEST, the WOLF program in Reno, NV, and the SoCal Online School Network. Advanced Academics is a subsidiary of DeVry Inc.

### Alabama ACCESS Distance Learning STATE VIRTUAL SCHOOL

The ACCESS Distance Learning program began in October 2005, is supplemental, and is run by the Alabama Department of Education. Three regional support centers hire, train, and support the teachers. The program is available to all public high school students and is free for these schools and students. Course enrollments have grown from approximately 7,300 in 2006-07 to more than 28,000 course enrollments in 2008-09, with another 15,000 non-credit course enrollments. The program does not focus on any particular type of student or courses but offers all ranges of courses. ACCESS offers 68 unique courses with approximately 59% purchased from out-of-state vendors. Five remediation modules for the Alabama High School Graduation Exam are also available to no cost to all students in the state.

### Branson (CO) School Online MULTI-DISTRICT ONLINE SCHOOL

Branson School Online was established within Branson School District RE-82 in 2001. Highly qualified teachers and administrative staff provide a full-time educational option for students in grades K-12 throughout the state of Colorado. The school and students are supported by two full-time school counselors and an active Parent Advisory and Accountability Committee. For the 2009-10 school years the enrollment is expected to be approximately 450 students.

### Cobb Virtual Academy (GA) SINGLE DISTRICT ONLINE PROGRAM

Cobb Virtual Academy (CVA) began serving students in a metro school district of Atlanta in 2001. Since then, the online course program has served almost 8,000 students in 50 high school courses. Online students take courses as part of their state-reported school schedule or outside the school day as tuition students. In 2006, CVA began supporting teachers who wished to move to a blended learning environment. In a blended learning classroom, students receive daily, face-to-face instruction that is supplemented with the online component allowing learning to continue past the traditional school day. This school year over 450 teachers and 5,000 students will participate in a blended learning classroom.

### Colorado Online Learning STATE VIRTUAL SCHOOL

Colorado Online Learning (COL) is an independent non-profit organization serving as the supplemental online high school course provider for the state of Colorado. Founded in 1998, COL had 1,777 course enrollments for the 2008-09 school year. COL offers 70 courses that are taught by Colorado-licensed, high-qualified teachers. Over 85% of COL teachers hold advanced degrees, and they serve as instructors in courses with student-to-teacher ratios of 17:1 or less.

## Connections Academy EDUCATION MANAGEMENT ORGANIZATION

Connections Academy operates full-time K-12 online schools in 14 states (Arizona, California, Colorado, Florida, Idaho, Minnesota, Nevada, Ohio, Oregon, Pennsylvania, South Carolina, Texas, Wisconsin and Wyoming), with more than 25,000 students enrolled in 2009-10. In addition, Connections Academy provides individual online courses for schools, districts and families, and also serves students through an accredited national virtual private school. The first Connections Academy-affiliated schools launched in fall 2002.

## Florida Virtual School STATE VIRTUAL SCHOOL

Florida Virtual School (FLVS) is a supplemental online program, serving students throughout Florida and around the globe. FLVS serves students in grades 6-12 and has partnered with Connections Academy to serve K-5 students in response to Florida House Bill 7067. FLVS is the largest K-12 online learning program in the nation with more than 150,000 half-credit course completions, and more than 120,000 physical students. Operating as an independent school district designed to serve the entire state, FLVS is funded through public FTE dollars, with full funding contingent upon student success. FLVS successfully serves a wide spectrum of students, including academically advanced, average, learning recovery, and struggling learners.

## Georgia Virtual School STATE VIRTUAL SCHOOL

Georgia Virtual School (GaVS), established in May 2005, offers a wide-variety of courses to Georgia middle and high school students. Georgia Virtual School serves public, private, and homeschool students with 107 courses. From summer 2008 through spring 2009, GaVS had 4,861 unique students and 9,793 course enrollments. This enrollment increased almost 40% over the previous year. GaVS has added several new supplemental programs including AP Practice Tests, Middle School Math Remediation Resource, and CRCT Remediation.

## Hamilton Country Virtual School (TN) SINGLE DISTRICT ONLINE PROGRAM

Hamilton County Virtual School (HCVS) was established in 2003 as a district-led program that serves K-12 public and private students in Hamilton County, TN. It serves approximately 1,000 students per year and works in partnership with the City of Chattanooga and the Chattanooga Housing Authority to offer facilitated labs in community locations. HCVS also offers nearly 100 virtual dual enrollment courses to students in a number of districts through its partnership with Chattanooga State Technical Community College. HCVS offers its full catalog year round but has its largest enrollment in the summer, serving as the district's only summer school remediation program.

## Hope Online (Colorado) MULTI-DISTRICT ONLINE SCHOOL

Hope Online Learning Academy Co-Op is a public charter school that offers online curriculum, individual learning plans and highly qualified teachers, combined with an unusual model of one-on-one mentoring and support at a Learning Center. With over 50 Learning Centers, Hope Online serves full-time K-12 students across Colorado's Front Range.

## Idaho Digital Learning Academy STATE VIRTUAL SCHOOL

Idaho Digital Learning Academy is a statewide online program, acting as a supplemental service to Idaho public school districts since 2002. With 98% of Idaho districts participating, IDLA served over 9,646 course enrollments in the 2008-09 school year, including high numbers of students who indicated the particular courses available through IDLA were not offered at their local districts.

**Illinois Virtual School** STATE VIRTUAL SCHOOL

The Illinois Virtual School (IVS) is operated by the Peoria County Regional Office of Education on behalf of the Illinois State Board of Education. IVS, launched in 2001, places an emphasis on reaching disadvantaged students as it was created to provide students equity of access to educational offerings regardless of where they live. IVS is a supplemental program, providing a wide variety of online courses (core courses, electives, AP and other advanced courses) to public, private, and homeschooled students in high school and middle school throughout Illinois. From summer 2008 to spring 2009, IVS had slightly over 4,000 semester enrollments.

**Insight Schools** EDUCATION MANAGEMENT ORGANIZATION

Insight Schools operates 9 high schools in 8 states (California, Washington, Idaho, Oregon, Kansas, Colorado, Minnesota, and Wisconsin). Insight Schools are public online high schools serving grades 9-12. Insight's schools experienced over 70% enrollment growth from fall 2008 to fall 2009. Insight Schools, Inc. is a subsidiary of Apollo Group, Inc., operator of University of Phoenix.

**K12 Inc.** EDUCATION MANAGEMENT ORGANIZATION

K12 Inc. is the largest operator of full-time online schools in the country, with schools in Arizona, Arkansas, California, Chicago, Colorado, Florida, Georgia, Hawaii, Indiana, Idaho, Kansas, Minnesota, Nevada, Ohio, Oregon, Pennsylvania, South Carolina, Texas, Utah, Washington state, Wisconsin, and the District of Columbia. New schools are opening in 2009 in Oklahoma, Wyoming and Alaska. Total student enrollments in the 2008-09 school year were approximately 56,000. In addition, K<sup>12</sup> works with numerous schools and districts across the country to create full-time and supplemental online programs and classroom-based programs. K12 Inc. began in 1999 and the first partner schools opened in 2001.

**Michigan Virtual School™** STATE VIRTUAL SCHOOL

The Michigan Virtual School (MVS) is a division of Michigan Virtual University, a 501(c)3 nonprofit organization that works in partnership with K-12 schools to supplement and expand online learning opportunities. The MVS was created by Public Act 230 of 2000 to serve both traditional and nontraditional students. Since its inception the MVS has served over 64,000 course enrollments, including more than 16,000 in 2008-09. The MVS offers a broad range of core academic courses aligned with state standards, college level equivalent courses, remedial, enrichment and world language courses and innovative online experiences. Other services include Michigan LearnPort®, a statewide Web-based professional development system that serves over 45,000 registered Michigan educators with online courses and training.

**Missouri Virtual Instruction Program** STATE VIRTUAL SCHOOL

MoVIP began classes August 2007. Missouri laws make MoVIP one of the most comprehensive programs. MoVIP has full-time and part-time students across all grade levels (K-12) and serves both public and private students. MoVIP is run by the Missouri Department of Education and hires outside vendors to provide the courseware and teachers. All 115 counties in Missouri have students participating. About 27% of MoVIP students are full-time and 73% of students are part-time. Only 2% of the secondary students are full-time. The comprehensive nature of the program requires a focus on all types of students.

## Omaha Public School eLearning Program (NE) SINGLE DISTRICT ONLINE PROGRAM

Omaha Public School eLearning Program is a school district program that began in the fall 2006 to meet the needs of credit recovery students. The eLearning Program has expanded to over 9,600 course enrollments in classroom lab settings for credit recovery to supplemental blended learning courses for classroom teachers to use in conjunction with face-to-face instruction in grades 2-12. District curriculum resources such as multimedia, primary source documents, lesson plans, lesson resources, and curriculum guides for grades P-12 are housed in learning object repositories for staff access.

## Riverside (CA) Virtual School SINGLE DISTRICT ONLINE PROGRAM

The Riverside Virtual School (RVS) is a public school that offers online classes for students in Southern California. RVS offers increased access to online learning resources in traditional classrooms, as well as academic support for homeschooled students. RVS also enrolls full-time students statewide in a college preparatory program designed to incorporate hands-on experiences with local businesses and universities.

## Virtual Virginia STATE VIRTUAL SCHOOL

Virtual Virginia is the combination of two former distance education programs, the Virginia Satellite Education Network and the Virginia Virtual Advanced Placement School. During the 2006-07 school year the two programs merged to form Virtual Virginia. In this merger, instruction moved to full online teaching and learning through a unified course management system. Initially, distance learning programs were designed to meet the needs of rural and underserved students by providing access to more advanced coursework. The current course catalog reflects their initial mission with 23 Advanced Placement courses, three pre-AP courses, and 16 world language courses not typically found in local school world language offerings.

## Virtual High School Global Consortium CONSORTIUM

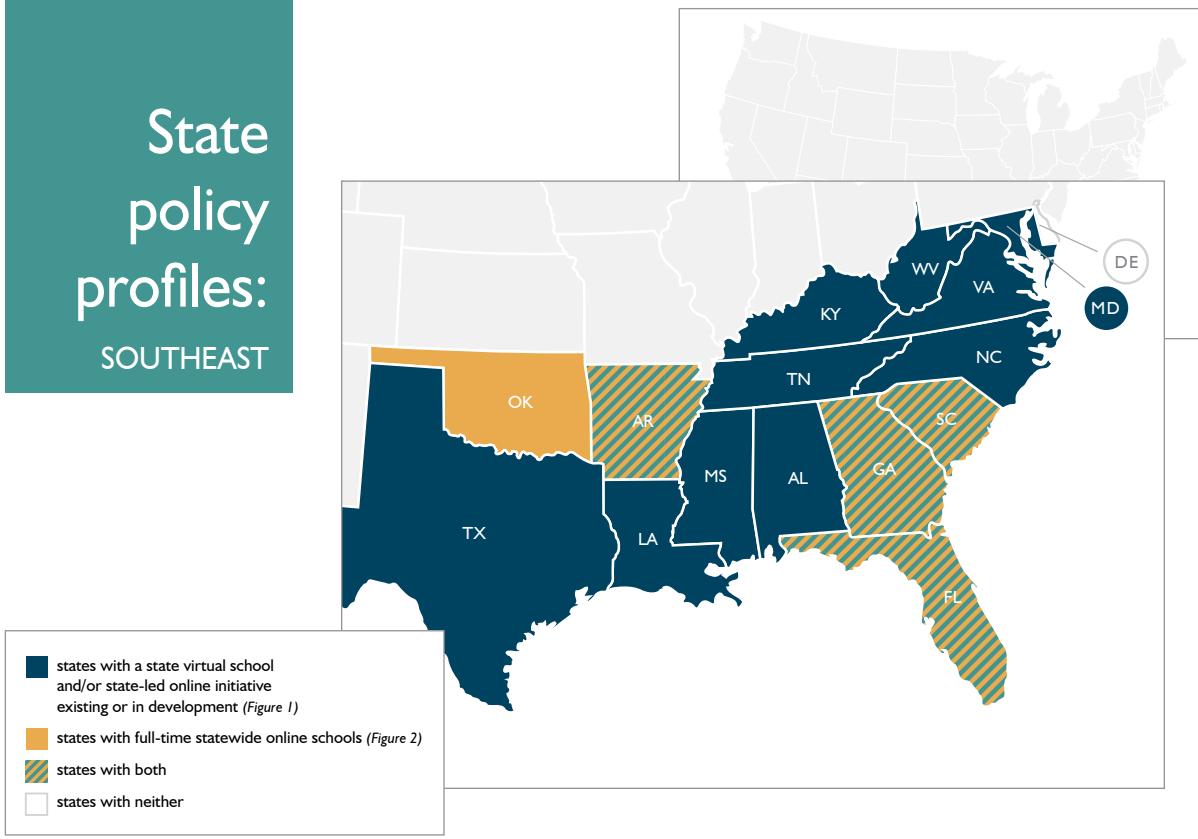
Virtual High School Global Consortium is an educational nonprofit which partners with schools to expand their course offerings. Founded in 1996, VHS is a collaborative of nearly 600 schools in 28 states and 35 countries. In 2008-09, VHS had more than 12,000 course registrations in over 150 middle and high school VHS courses, including Advanced Placement, core, elective, credit-recovery and International Baccalaureate courses. The mission of VHS is to develop and deliver standards-based, student-centered online courses to expand students' educational opportunities and 21<sup>st</sup> century skills and to offer professional development to teachers to expand the scope and depth of their training.

## Wisconsin eSchool Network CONSORTIUM

Wisconsin eSchool Network formed as a nonprofit organization during the 2006-07 school year as a means for local online schools and programs to share resources and experiences. The Network currently includes charter schools and programs in eight school districts across the state, and had over 3,400 course enrollments during the 2008-09 school year. The schools are funded through public FTE funds at the same rate as brick-and-mortar schools and in some cases initially through federal charter school implementation grants. The Network is unique in that it provides each Network Partner the autonomy to design and implement the online learning program that best meets their unique needs. Some districts only offer courses during the traditional school year, others have defined separate summer sessions, and one is a year-round school.

# State policy profiles:

## SOUTHEAST



### Alabama

ACCESS is the state virtual; no charter school law. In 2008 AL became second state to create an online learning requirement.

### Arkansas

AR Virtual High School is the state virtual school; one statewide virtual charter; state code has rules governing distance learning.

### Delaware

Delaware Virtual School completed a pilot program in 2008-09, but the school's funding was eliminated due to a large state budget deficit.

### Florida

FL Virtual School is largest in the U.S.; legislation in 2008 and 2009 requires all districts to offer full-time online programs for grades K-12.

### Georgia

GA Virtual School, several significant district programs, and one statewide online charter; commission was created in 2008 to authorize online charter schools and set funding, none authorized as of September 2009.

### Kentucky

KY Virtual Schools is state virtual school; large district program in Jefferson County.

### Louisiana

LA Virtual School is state virtual school; online charter schools are not prohibited, but as of August 2009 no statewide online charters exist.

### Maryland

Maryland Virtual Learning Opportunities operates three separate programs for students and teachers: the Maryland Virtual School (MVS), Online Professional Development (OPD), and High School Assessments (HAS); and online charter schools are effectively prohibited by charter school law.

### Mississippi

2006 legislation created the state virtual school, Mississippi Virtual Public School; there are no online charter schools in Mississippi.

### North Carolina

NC Virtual Public School (NCVPS) is the state virtual school and is one of the largest and fastest growing in the country; legislation directs all online state-funded opportunities to be consolidated under NCVPS.

### Oklahoma

State code sets simple distance learning guidelines; no state virtual school, but there are two statewide full-time online schools and two university programs.

### South Carolina

SC Virtual School is state virtual school; charter organization authorized three virtual charters in 2008 and another in 2009; charters have waiting lists due to high demand.

### Tennessee

e4TN is the state virtual school serving all 156 school districts; some district programs; 2008 legislation allows LEAs to sponsor a virtual charter school, but as of September 2009 none have been authorized.

### Texas

Texas Virtual School Network (TxVSN) acts as the state virtual school and funds online courses required for graduation in addition to district per pupil funding; the state-led Electronic Course Program funds grades 3-9 full-time virtual programs; some large district programs.

### Virginia

Virtual Virginia is state virtual school, some district programs especially in northern Virginia; no full-time online charter schools.

### West Virginia

WV Virtual School is state virtual school; no other significant programs.

## Alabama

Essentially all the online education activity in Alabama is through the state virtual school, Alabama ACCESS (Alabama Connecting Classrooms, Educators, & Students Statewide). Alabama does not have a charter school law.

In 2008, the Alabama State Board of Education established a rule that, "...beginning with the ninth-grade class of 2009-10 (graduating class of 2012-2013), students shall be required to take and receive a passing grade in one on-line/technology-enhanced course in either a core course (mathematics, science, social studies, or English) or an elective with waivers being possible for students with a justifiable reason(s)."<sup>38</sup> The Alabama State Department of Education (SDE) has published guidelines<sup>39</sup> on the essential characteristics of a quality online learning experience, specific course standards to meet the graduation requirement, and guidelines for online teachers.

### Online programs

ACCESS is a supplemental program started in fall 2005. Course enrollments have grown from approximately 7,300 in 2006-07 to more than 28,000 in 2008-09, with another 15,000 non-credit course enrollments. ACCESS has funding for approximately 32,000 enrollments in 2009-10 and 38,500 for 2010-11. ACCESS offers 68 unique courses with approximately 59% purchased from out-of-state vendors. Five remediation modules for the *Alabama High School Graduation Exam* are also available to students.

ACCESS provides courses for grades 9-12 via Web-based instruction (WBI) and interactive videoconferencing instruction (VCI) along with the technical infrastructure to deliver these courses. ACCESS operates from delivery school sites and offers courses to receiving school sites that otherwise would not have an Alabama certified teacher to instruct the course. The main difference between ACCESS and other state virtual schools is the focus on development of the technology infrastructure for receiving online and video courses at school sites throughout the state, which means that a significant portion of the relatively high level of funding (compared to other state virtual schools) is going towards technology infrastructure, including bandwidth, tablet computers, and VCI equipment. ACCESS also provides funding for professional development. All ACCESS course are now offered in a blended learning format with both web-based and face-to-face or synchronous components to provide flexibility for any instructional mode. Interactive videoconferencing courses provide students with supplemental online resources in the learning management system and access to drop boxes for assignments, discussion boards, e-mail, online assessments, and other asynchronous components.

Another distinction of ACCESS is that it provides online courses to students in public school classrooms, during a set school period, not primarily at home.<sup>40</sup>



<sup>38</sup>Alabama State Code, 290-3-1-02-(8)(d)4; retrieved July 14, 2009, <http://www.alabamaadministrativecode.state.al.us/docs/ed/McWord290-3-1.pdf>

<sup>39</sup> High School Distance Learning: Online/Technology Enhanced Course or Experience Guidance; retrieved August 5, 2009, <ftp://ftp.alsde.edu/documents/61/OnlineGuidance.pdf>

<sup>40</sup> Alabama code AAC Rule 290-3-1-02(12)(b)2, AAC Rule 290-3-1-02(12)(b)4, and AAC Rule 290-3-1-02(12)(d)1; retrieved August 12, 2009, [www.alabamaadministrativecode.state.al.us/docs/ed/3ED1.RTF](http://www.alabamaadministrativecode.state.al.us/docs/ed/3ED1.RTF)

In anticipation of expected enrollment increases as all Alabama high schools are brought into the network in 2009-10 to meet the new state requirement for an “on-line/technology-enhanced course,” Alabama has worked with a provider to develop a Web-based statewide registration and enrollment system to manage student enrollment and class and staff scheduling for ACCESS that integrates with the existing statewide student information system as well as ACCESS’ learning management system.<sup>41</sup> This system will be in place during the 2009-10 academic year.

## State policies

State code includes a section on online education that governs ACCESS; policies listed below are from this code, the *Alabama Administrative Code (AAC) Rule 290-3-1-02(12) for Online Courses*.<sup>42</sup>

### Funding

The ACCESS state appropriation for FY 2009-10 is \$22.5 million, a \$2.2 million decrease over the 2008-09 budget. The reduction is based on a state government proration formula applied to all government programs to meet state budget shortfalls for FY2009. ACCESS also received a one-time appropriation of \$11 million in capital bond funding from the State Superintendent of Education during 2009. Capital bond funding is distributed to educational programs at the discretion of the Superintendent, who made a priority of completion of 21<sup>st</sup> Century ACCESS labs in schools across the state a year ahead of schedule.

### Governance, tracking, and accountability

Because all activity is through ACCESS, there is no need for additional tracking.

### Quality assurance, teaching, and curriculum

- Courses must be delivered by ACCESS or from institutions accredited by one of several accrediting organizations.
- Students must complete all scheduled tests and labs “during a regular class scheduled within the normal school day.” “The normal school day shall include night school, summer school, or other scheduled extended day periods as approved by the local school.”
- “All online courses shall have an adult facilitator approved by the local school who has completed professional development in online methodology and technical aspects of Web-based instruction and serves as a liaison to on-line teachers and providers.”
- Teachers must be certified and highly qualified, or must be “faculty members of an institution of higher education” and “must have participated in in-service education, sponsored by the providing institution, pertaining to instructional methodology and technical aspects of online delivery.”
- Core courses other than those provided by the SDE must be “approved and registered” by the State Department of Education; elective courses do not need to be approved but must be registered.
- “Schools enrolling students in online courses will provide students with appropriate technology, adequate supervision, and technical assistance, in accordance with State Department of Education (SDE) online technology requirements for local implementation.”
- “Homebound students may participate in approved online courses upon request and notification to the SDE of students’ homebound status by the local school system superintendent.”

<sup>41</sup> Alabama Department of Education press release; retrieved August 5, 2009, <http://www.sti-k12.com/press/infolive.pdf>

<sup>42</sup> Section 12 of Alabama Code 290-3-1-02; retrieved July 21, 2009, <http://www.alabamaadministrativecode.state.al.us/UpdatedMonthly/AAM-JUL-07/290-3-1-02.pdf>

## Arkansas

Arkansas has a state virtual school, the Arkansas Virtual High School (AVHS), and one full-time, statewide charter school, the Arkansas Virtual Academy. AVHS was started in spring 2000 and had approximately 5,300 high school course enrollments in 2008-09. AVHS is funded through an annual Department of Education grant of \$740,000, an amount that has remained steady since 2007. Arkansas Virtual Academy serves grades K-8 across the state, is limited by legislation<sup>43</sup> to 500 unique students, and maintains a waiting list of students interested in attending. The Virtual Academy operates as its own school district and is thus funded through the same student FTE formula as a physical school, \$5,905 per student, but it does not receive money from property taxes. Besides the Arkansas Virtual High School and the Arkansas Virtual Academy, online courses are available through a number of the state's Educational Service Cooperatives (ESC), though the district must provide the instructor for these.

Act 827 (2009) creates a three-year pilot program that will explore mobile learning with students who must ride a school bus for long distances to and from school. Each participating district will equip up to three school buses with wireless Internet service, 15 laptop computers, 40 portable video storage devices, two media screens, and math and science software for the computers.<sup>44</sup> Teachers will be available for student questions and to meet weekly with students in a community classroom environment. Success will be monitored by the number and type of courses completed, number of AP courses completed, AP scores, Arkansas benchmark assessments for pilot students, and subsequent score comparison with non-pilot districts, and through surveying pilot student interest in math/science/technology careers.



**ARKANSAS**

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**State virtual school**  
Arkansas Virtual High School

**Other statewide programs**  
Arkansas Virtual Academy

**State-level policy**  
Formal rules covering AVHS; Act 1420, limits enrollments in virtual charters

## State policies

### Governance, accountability, and tracking

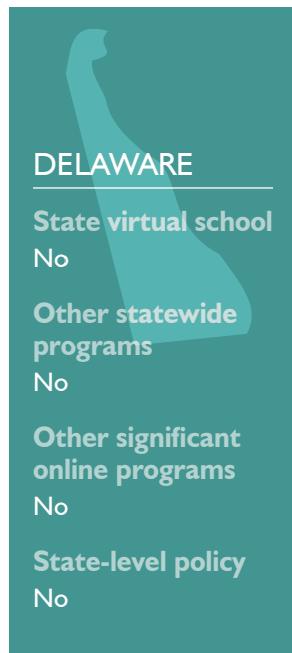
Arkansas Department of Education rules regarding distance learning include:

- The Department of Education must approve all distance learning courses prior to the course being offered or taught by a public or charter school. Courses must have a licensed or approved primary instructor.
- An adult facilitator must be present to proctor any assessments used to determine a student's final grade. A student's final grade is determined by the teacher of record for a course.
- Class size for synchronous distance learning courses shall be the same as for courses not taught by distance learning as specified in the Arkansas Standards for Accreditation. Class size requirements do not apply to asynchronous distance learning instruction.
- Class loads are to be held to a ratio of no more than 30 students per class and 150 students each day for both synchronous and asynchronous courses.
- An adult facilitator must be present whenever a group of distance learning students meets.

As a charter school, the Arkansas Virtual Academy must adhere to all charter school accountability rules, which includes administration of all state-mandated testing.

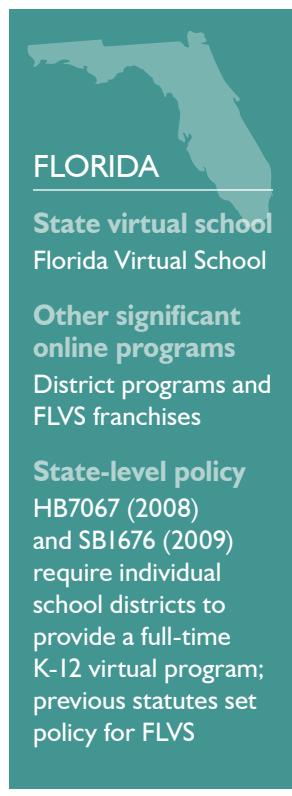
<sup>43</sup> Act 1420 (SB290); retrieved September 4, 2009, <http://www.arkleg.state.ar.us/assembly/2009/R/Pages/BillInformation.aspx?measureno=SB290>

<sup>44</sup> Arkansas Act 827 (HB1273); retrieved September 4, 2009, <http://www.arkleg.state.ar.us/assembly/2009/R/Pages/BillInformation.aspx?measureno=HB1273>



## Delaware

In January 2008, Delaware launched the Delaware Virtual School as a pilot program offering six online courses through 27 high schools and serving nearly 300 students, but the Virtual School's budget was eliminated. A limited version of the pilot program continued through the 2008-09 school year, but the program did not receive funding for 2009-10 due to an \$800 million state budget deficit. Delaware does not have any online charter schools. Some districts use vendor courses on a limited, as-needed basis, and some high schools participate in the University of Delaware's Online High School, which provides dual enrollment courses for high school students across the state at a cost of \$545 per course.



## Florida

Florida has the largest state virtual school in the U.S., Florida Virtual School (FLVS), and a legislative mandate that requires all school districts to offer full-time virtual programs for grades K-12. The Virtual Instruction Program (HB7067 and Florida Statute 1002.45<sup>45</sup>), passed in 2008, dramatically altered the online learning landscape by requiring school districts "to make online and distance learning instruction available to full-time virtual students in grades kindergarten through grade 8" by 2009-10.<sup>46</sup> In 2009, SB1676<sup>47</sup> amended the statute to require district full-time online programs to expand coverage to grades K-12. In addition to operating their own virtual instruction programs, districts may contract with FLVS, establish a franchise of FLVS, contract with online learning providers approved by the Department of Education, or enter into an agreement with another school district for the services. The new legislation also requires Florida-certified teachers to provide at least 50% of the direct instruction for students in grades K-5 and 80% of the direct instruction for students in grades 6-12.

The new statute requires additional study with findings and recommendations to the legislature and governor by January 15, 2010, regarding "the advisability of legislatively authorizing school districts to contract with approved private providers for the provision of part-time virtual instruction programs for students in grades 9 through 12..."<sup>48</sup>

<sup>45</sup> Florida statutes; retrieved September 16, 2009, <http://www.leg.state.fl.us/statutes/index.cfm>

<sup>46</sup> Florida Department of Education, House Bill 7067 Executive Summary, July 1, 2008, [http://www.fl doe.org/GR/Bill\\_Summary/2008/HB7067.pdf](http://www.fl doe.org/GR/Bill_Summary/2008/HB7067.pdf)

<sup>47</sup> Florida SB1676; retrieved August 4, 2009, [http://www.fl senate.gov/data/session/2009/Senate/bills/amendments\\_Com/pdf/sb1676am465716.pdf](http://www.fl senate.gov/data/session/2009/Senate/bills/amendments_Com/pdf/sb1676am465716.pdf)

<sup>48</sup> The Florida Senate, The 2009 Statute; retrieved August 16, 2009, [http://www.fl senate.gov/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\\_mode=Display\\_Statute&Search\\_String=1002.45&URL=CH1002/Sec45.HTM](http://www.fl senate.gov/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=1002.45&URL=CH1002/Sec45.HTM)

## Online programs

Florida Virtual School (FLVS) had more than 154,000 course enrollments and 124,000 unique students in 2008-09. In 2000, legislation established FLVS as an independent education entity. Legislation enacted in 2002 and 2003 granted parental right for public school choice, listed FLVS as an option, and defined full-time-equivalent (FTE) students for FLVS based on “course completion and performance” rather than on seat time. In 2008-09, FLVS received approximately \$83.8 M in funding. The school has 898 full-time and 55 part-time teachers.

FLVS offers courses for grades 6-12. In response to district requests for a single provider to meet the requirement to provide a full-time online program for grades K-12, FLVS conducted an RFP and selected Connections Academy as a partner to provide full-time services for grades K-8. Seventeen district franchises of FLVS serve grades 6-12 (as of fall 2009), including Broward Virtual School, with 4,167 course enrollments, and Marion County, with 2,291 course enrollments.

School District Virtual Instructional Programs are required of all school districts by 2009-10, and eight districts began offering these programs as of 2008-09 with 252 reported completions.

## State policies

Information in this section comes from Florida Statute 1002.45 and the Department of Education HB7067 Executive Summary<sup>49</sup> and SB1676.<sup>50</sup> Additional state policies address the operations, funding, and governance of FLVS, most of which are not covered below.

### Funding

- The School District Virtual Instruction Program (K-12) will be funded through the Florida Education Finance Program (FEFP) based on successful completions. For grades K-5 students this is based on grade promotion. For grades 6-12 students funding is based on successful course or credit completions. Districts receive the FEFP funding for each student and may negotiate a cost for the online program at a rate less than the per-pupil funding.
- For Florida Virtual School, per student funding was cut by approximately 10% for 2009-10, to \$464 per semester course, and FLVS lost class size funding. FLVS will still receive an 11.4% add-on to FTE funding to account for students that do not complete their courses, but only for public school students.

### Governance and tracking

FLVS is governed by Florida Statute 1002.37; students retain the right to choose FLVS courses to satisfy their educational goals. Under the new Florida Statute 1002.45 and SB1676, students may also choose to take courses through a district virtual program. The following rules and policies apply to district virtual programs:

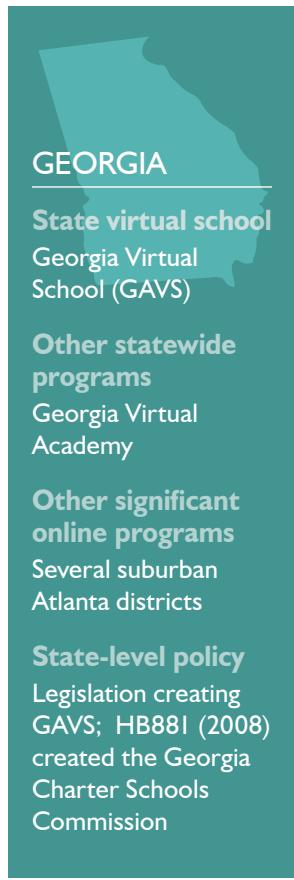
- Instructional staff must be Florida-certified, and curriculum and course content must be aligned to Florida’s state standards.
- Students must take state assessments.
- Students must have been Florida public school students the previous year.
- Students must be provided the necessary instructional materials and when appropriate the equipment and Internet access necessary to participate.
- Providers must be approved by the DOE based on a set of qualifications.
- A provider of digital or online curriculum used to supplement instruction of students not enrolled in this program does not have to meet the requirements of this law.

<sup>49</sup> Florida House Bill 7067; retrieved August 16, 2009, <http://www.fl doe.org/ese/pdf/7067ER.pdf>

<sup>50</sup> Florida SB1676; retrieved August 4, 2009, [http://www.flsenate.gov/data/session/2009/Senate/bills/amendments\\_Com/pdf/sb1676am465716.pdf](http://www.flsenate.gov/data/session/2009/Senate/bills/amendments_Com/pdf/sb1676am465716.pdf)

## Quality assurance, teaching, and curriculum

- School district virtual instructional programs must participate in the statewide assessment program and in the state's education performance accountability system.
- Districts will receive a school grade or school improvement rating for district-operated programs.
- Each approved provider will receive a school grade or school improvement rating based on the aggregated assessment scores for all students served by the provider statewide.
- The provider's contract must be terminated if the provider receives a school grade of 'D' or 'F' or a school improvement rating of 'Declining' for two years during any 4-year period.
- The performance of part-time students in grades 9-12 "shall be included in the school grade of the non-virtual school providing the student's primary instruction."



## Georgia

Georgia Virtual School (GAVS) is the state virtual school of Georgia, and several prominent district online programs exist, primarily in suburban Atlanta. The Georgia Virtual Academy (GVA) is an online charter school that serves K-8 students across the state. GAVS was created by legislation in 2005,<sup>51</sup> and in 2006 the State Board of Education created the rule that governs the school.<sup>52</sup> Approximately 13,000 to 15,000 students in Georgia took online courses in 2008-09, with almost 10,000 of those students coming from either the Georgia Virtual School or GVA.<sup>53</sup> GAVS is unusual in that its students take end-of-course exams that are common across the state, and tracked by the state, allowing for a comparison of test scores between students in online courses and state averages. The State Board rule calls for the Department of Education to "develop criteria for schools or local school systems to become a Georgia Virtual School Approved Entity" in order to offer an online program.<sup>54</sup>

The Georgia Legislature passed a law in 2006 that amended charter school law to allow for online charter schools, but only allowed local district boards to act as charter school authorizers.<sup>55</sup> House Bill 881 (2008), created the "Georgia Charter Schools Commission as an independent, state-level charter school authorizing entity...empowered to approve commission charter schools,"<sup>56</sup> but the State Board of Education can overrule the commission's approval of a charter with a two-thirds vote. For the first time, HB881 provided the possibility for equal funding for local charters, but it gave the commission authority to set the funding amount for virtual charter schools.

## Online programs

Georgia Virtual School (GAVS) grew by 4% in 2008-09 to 9,793 enrollments, up from 9,404 in 2007-08. GAVS had to cap enrollment due to available funding constraints. The number of available FTE seats has been increased slightly for 2009-10. GAVS also offers summer school courses on a tuition basis only, with no cap on summer enrollment. GAVS implemented online test preparation courses in spring 2008 to help students across the state meet the demands of an

<sup>51</sup> Georgia Senate Bill 33; retrieved September 3, 2009, [http://www.legis.state.ga.us/legis/2005\\_06/versions/sb33\\_AP\\_16.htm](http://www.legis.state.ga.us/legis/2005_06/versions/sb33_AP_16.htm)

<sup>52</sup> 160-8-1-01 Georgia Virtual School; retrieved September 3, 2009, [http://www.doe.k12.ga.us/\\_documents/doe/legalservices/160-8-1-01.pdf](http://www.doe.k12.ga.us/_documents/doe/legalservices/160-8-1-01.pdf)

<sup>53</sup> Personal communication with Andrew Broy, GA DOE, August 11, 2009

<sup>54</sup> GA DOE Rule 160-8-1-01; retrieved September 4, 2009, [http://www.gadoe.org/\\_documents/doe/legalservices/160-8-1-01.pdf](http://www.gadoe.org/_documents/doe/legalservices/160-8-1-01.pdf)

<sup>55</sup> Senate Bill 610; retrieved September 3, 2009, [http://www.legis.state.ga.us/legis/2005\\_06/versions/sb610\\_AP\\_6.htm](http://www.legis.state.ga.us/legis/2005_06/versions/sb610_AP_6.htm)

<sup>56</sup> Georgia House Bill 881; retrieved September 3, 2009, [http://www.legis.state.ga.us/legis/2007\\_08/sum/hb881.htm](http://www.legis.state.ga.us/legis/2007_08/sum/hb881.htm)

8<sup>th</sup> grade math test required to enter high school. Assessments on how well the courses prepared students for the exam are pending as of the beginning of the 2009-10 school year. Also, 2008 marked the first year an aggressive state math curriculum reform, launched in 2006, reaches the high school level, so GAVS instituted online courses and teacher training in the new curriculum.

The Georgia Department of Education (GaDOE) designated GAVS as its leading partner in implementing a statewide credit recovery program. GAVS supplies an online, teacher-less program where students progress on their own, with the program administered by the participating school districts. Department of Education guidelines require that:

- As schools enroll students for the GaDOE Credit Recovery Program, they will be prompted to agree to proctor each unit's pre-test, post-test and final exam.
- For each unit, students not passing the pre-test with a score greater than 85% must view all content items for that unit before the unit post-test will be available. In order to move out of one unit and into the next, students must score a 70% or higher on the post-test.

Currently, 174 out of Georgia's 180 school districts are participating in the online credit recovery program. The program is legislatively funded and free to students. Each semester, Georgia funds 20,000 seats for the credit recovery program and typically operates at 80-90% capacity. The self-paced courses are available in four main academic subject areas: Language Arts, Math, Science, and Social Studies. Approximately 70-80% of the students who participate in the program successfully recover their credits.<sup>57</sup>

Georgia's second-largest online program, the Georgia Virtual Academy (GVA), a K-8 program administered by K12 Inc., is the online arm of the Odyssey Charter School. Odyssey was the first in the state to be approved by the state board versus a local school board. State-authorized charters operate essentially as both a school and a separate district. GVA course enrollments rose to 4,400 in 2008-09, up from 4,300 in the previous year. Students in grades K-8 may enroll in the GVA if they are residents and at least 5 years old by September 1. The current charter authorized by the state board, previous to the creation of the Charter School Commission, limits GVA to 5,000 students in 2009-10 and 6,000 the following year. In June of 2009, Odyssey sought to come under the authorization of the state's new Georgia Charter Schools Commission, which would open access to matching local funds from state allocations paid to the 163 districts that Odyssey serves through GVA. The state denied the school's request for two reasons: 1) Odyssey was already in the process of its charter renewal through the state board, and 2) math and science scores of the GVA students were low. While the low scores were attributed to GVA students who were already lagging by a year or more when they enrolled, the state board unanimously agreed to renew the charter for two years, but closely watch the program before considering the petition for charter renewal under the new commission.

Five new requests for virtual charter schools have been submitted to the Charter Schools Commission. As of September 2009, none was approved, but the state is looking at new charters to open more seats for online learning, particularly for high school students.

In addition to the Georgia Virtual School and the Georgia Virtual Academy, several suburban Atlanta districts operate their own online programs, including Gwinnett County Online Campus and Cobb Virtual Academy.

## State policies<sup>58</sup>

GAVS students must take their online course as part of their regular school day. Courses are available on a tuition basis outside the school day and for summer school. All students who are residents are allowed to take a course with GAVS, whether public, private, or homeschooled, but public students are given priority. The Georgia Virtual School is funded from a state appropriation,

<sup>57</sup> Based on conversation with Dr. Christina Clayton (GAVS) on September 11, 2009

<sup>58</sup> 160-8-1-.01 Georgia Virtual School; retrieved September 3, 2009; [http://www.doe.k12.ga.us/\\_documents/doe/legalservices/160-8-1-.01.pdf](http://www.doe.k12.ga.us/_documents/doe/legalservices/160-8-1-.01.pdf)

about \$1.75 million in 2008-09, which provides a set amount to each district for online learning. When students take courses with GAVS, the district gives GAVS the equivalent of the district's FTE portion for that course segment. The state then uses those monies to pay GAVS. The amount that GAVS receives per course segment varies from one district to the next, based on the funding formula for each district. Districts receive \$25 per course segment to defer administrative costs. School districts can choose to disallow a local student from taking a GAVS course under this funding formula. While such a policy can suppress the district's incentive to encourage online learning as an option, current law in Georgia only allows students to take one online course per semester, or a total of two courses per school year anyway.

	<b>KENTUCKY</b>
<b>State virtual school</b>	Kentucky Virtual Schools
<b>Other statewide programs</b>	No charter school law
<b>Other significant online programs</b>	Jefferson County district program
<b>State-level policy</b>	No

## Kentucky

Kentucky Virtual Schools (KYVS) is the state virtual school (formerly Kentucky Virtual High School) and encompasses eLearning Kentucky (online professional development), Area Technology Centers, and other state agency partners. The virtual school program was created by the state governor in January 2000 and serves grades 9-12, although courses are made available to qualified middle school students with the recommendation of their school and approval of the course instructor. KYVS enrolled approximately 2,300 students in 2008-09, and offers over 86 unique courses, including 23 Advanced Placement courses. KVHS offers supplemental online courses that students can take with the permission of their resident school district. KYVS is funded through an annual state legislative allocation of \$800,000 as well as course fees. KYVS supports collaboration of all statewide online learning initiatives, and is expanding its focus to support blended learning environments in physical classrooms. These online education programs are all in a shared learning management system, allowing them to collaborate on teacher professional development, content development, content repositories, and technical support.

Kentucky is one of the first states to implement a common P-20 learning management system (LMS), and obtained funding to provide for 15,000 licensed users in the LMS for taking online curriculum

to the classroom. KYVS provides access to a "course shell" for a teacher for a year, along with professional development and technical support. Teachers have the flexibility to enroll students in an online course environment for work both inside and outside the classroom, or use the course to bring online content into the classroom, or both.

Although the blended learning support is available to teachers across the state, a formal request must be made to provide a level of quality control. KYVS is also collaborating on a three-year blended learning research project with the Appalachian Education Laboratory and the Collaborative for Teaching and Learning to document and compare student performance and teacher engagement levels. The study uses KYVS online curriculum (algebra was the course chosen for the study), professional development, and teacher mentoring for a control group implementing a blended learning classroom methodology, while another group uses traditional face-to-face instruction. This is believed to be one of the first research studies designed to gauge the effectiveness of blended learning with secondary students. Kentucky does not have charter schools or charter school legislation. There is a prominent district online program in Jefferson County, JCPS Online, but there are no state online education policies governing that program.

## Louisiana

Louisiana has a state virtual school, the Louisiana Virtual School (LVS), and district programs offering distance learning courses, including satellite and compressed video. Louisiana does not have any online charter schools. It has charter schools, and online charter schools are not prohibited, but as of August 2009 no statewide online charter schools have been authorized. Charter schools in Louisiana may be authorized by local school districts or by the state Board of Elementary and Secondary Education (BESE), but a charter applicant must apply to a local district and be rejected before applying to BESE. As of August 2009 at least one online charter school application has been rejected by a local school board, and the applicant is seeking authorization by BESE.

In June 2009 the legislature lifted the cap on charter schools with the passage of House Bill 519 (there had been a cap of 70 charter schools in the state) to improve the state's competitiveness for federal "Race to the Top" funds.<sup>59</sup> Although the state had a cap of 70 charter schools there were only 20 approved charter schools as of 2009.

### Online programs

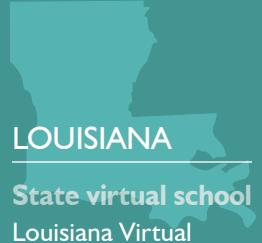
LVS was started in fall 2000 and is a supplemental program for grades 6-12. In 2008-09, LVS had over 11,000 course enrollments in 56 courses. One notable element of the LVS is its Algebra I Online Program. The program is approaching its eighth year of implementation and provides Louisiana students with a certified Algebra I instructor and a standards-based Algebra I curriculum delivered through a web-based course. The Algebra I Online Project also provides the mathematics teacher with face-to-face and online professional development opportunities that will assist with the facilitation of the in-class Algebra learning activities for students and support their efforts toward mathematics certification.<sup>60</sup>

### State policies

The Department of Education has published State Standards for Distance Education<sup>61</sup> that cover online learning and other types of distance education. Policies listed and quotes in this section are from these standards; many of the policies hold distance education programs to the same standards as face-to-face programs. For example, the standards state that "distance education shall comply with all policies of the Louisiana Handbook for School Administrators." All distance learning programs in Louisiana are supplemental, and the policies distinguish between the provider of distance education courses and the "receiving" school or local education agency (LEA).

### Funding

The LVS receives funding from a variety of state, federal, and foundation sources. There are no tuition charges to students other than tuition fees assessed by university partners for dual enrollment. The LVS is primarily a Board of Elementary and Secondary Education (BESE) 8(g) funded program, and received an allocation of \$2.7M for 2009-10. The LVS also has been allocated

	<b>LOUISIANA</b>
<b>State virtual school</b>	Louisiana Virtual School
<b>Other statewide programs</b>	No
<b>Other significant online programs</b>	No
<b>State-level policy</b>	Louisiana Department of Education has published rules for distance education

<sup>59</sup> Louisiana House Bill 519; retrieved July 29, 2009, <http://www.legis.louisiana.gov/>

<sup>60</sup> Algebra I Online Project; retrieved July 24, 2009, <http://www.louisianavirtualschool.net/?algebra>

<sup>61</sup> State Standards for Distance Education, January 2000, published by the Louisiana Department of Education; retrieved July 24, 2009, <http://www.doe.state.la.us/lde/uploads/738.pdf>

\$1.57M in state legislative dollars tied to High School Redesign activities, High School Redesign Advanced Placement activities, and the Algebra I online project. The total budget for 2009-10 is approximately \$4.5M, a reduction of about half a million dollars compared to 2008-09.

### **Quality assurance, teaching, and curriculum**

- Courses must incorporate state content standards. Schools or local education agencies with students in distance education programs must “ensure that each distance education course is provided by an institution accredited by a nationally recognized accrediting body or is authorized by the LEA.”
- “Content, instruction, and assessment” of online courses must be “comparable” in “rigor and breadth to a traditionally delivered course.” Schools must provide a “facilitator” for their students taking online courses; the facilitator must hold Louisiana certification.
- Distance education providers must “judiciously address issues relative to course load and student-teacher ratio as appropriate for the particular method of delivery and particular course content.”

# Maryland

Maryland's state virtual school, Maryland Virtual Learning Opportunities (MVLO)/Maryland Virtual School, is managed by the Maryland State Department of Education (MSDE). MVLO was established by House Bill 1197 (2002), and the first set of approved online courses were piloted in fall 2003. It encompasses three separate programs for students and teachers: the Maryland Virtual School (MVS), Online Professional Development (OPD), and online High School Assessment (HSA) courses/resources. Online courses that are used for credit toward a Maryland high school diploma must be reviewed and approved by MSDE: "For students currently enrolled in a Maryland public school, credit can only be awarded for MSDE-approved online courses."<sup>62</sup> Currently, two districts are using MSDE-approved online courses as part of district-run online learning programs. Because a provision of charter school law requires that students be "physically present on school premises,"<sup>63</sup> there are no online charter schools.

Maryland Virtual School is a supplemental online course provider for grades 6-12. The credit earned by taking a MVS course is entered into the student's record by the local public high school or school system. Students may take a course through MVS only with the permission of the local system and the school principal. As of 2009, a student or parent has no recourse to pursue online courses if their request is rejected at the local level.<sup>64</sup> MVS is funded largely through course fees paid by school districts that cover the cost of the content and instructor and range from \$15 per student per course for districts that simply want to use a course that MSDE owns or leases, up to \$800 for courses that include a highly-qualified instructor provided through MVS. The average fee is \$450-\$600. MVLO does not receive a legislative appropriation. MVLO received funding of approximately \$400,000 for 2008-09 from various departments within the MSDE and from the Channel Capacity Leasing funds for the MVLO/MVS learning management system, staff positions, and other program functions. Course enrollments declined from 927 in the 2007-08 school year to 710 in 2008-09, largely due to a lack of funding at the district level.

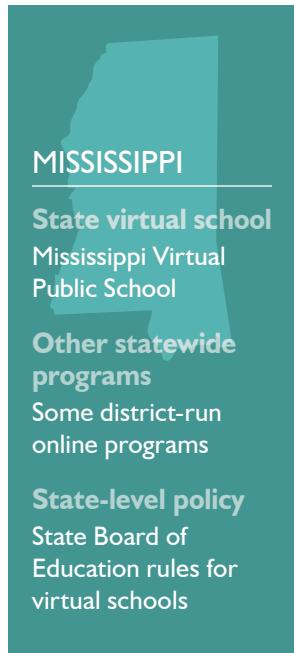
MVLO also operates the Online Professional Development (OPD) program, which makes online teacher training available to instructors across the state, and the HSA (High School Assessments) program, an online test preparation program covering four required course areas (Algebra/Data Analysis, American Government, Biology and English 2). MVLO has extended access to these specific courses for teachers and students at no cost because these are subjects that have end-of-course state assessments that all students (starting with students who entered grade 9 in 2005) must take and pass in order to graduate.

	<b>MARYLAND</b>
<b>State virtual school</b>	Maryland Virtual School
<b>Other statewide programs</b>	No
<b>Other significant online programs</b>	Two districts have online programs that use MSDE-approved online courses and a few districts use online resources in blended programs
<b>State-level policy</b>	Maryland charter school law effectively prohibits online charter schools; regulations require that all online courses in the state be approved by the Department of Education

<sup>62</sup> Department of Legislative Services; retrieved July 29, 2009, [http://mlis.state.md.us/2009rs/fnotes/bil\\_0003/hb1543.pdf](http://mlis.state.md.us/2009rs/fnotes/bil_0003/hb1543.pdf)

<sup>63</sup> Maryland State Code § 9-102; retrieved July 30, 2009, from <http://www.marylandpublicschools.org/NR/rdonlyres/64999462-AD67-47E0-9366-35457DCBACF2/7967/ModelPolicyGuide.pdf>

<sup>64</sup> Personal communication with Robert Cole, Instructional Specialist, MVLO, July 29, 2009



## Mississippi

The Mississippi Virtual Public School (MVPS) is the state virtual school, serving students who qualify, which is determined by the local school district's policy. The virtual school was established by legislation in 2006.<sup>65</sup> MVPS was funded by state appropriation at \$1.9 million in 2008-09, with some additional grant funding, and \$1.8 million for 2009-10. MVPS served approximately 3,400 students with over 7,000 course enrollments in the 2008-09 school year. In addition, 170 students participated in a free Algebra Readiness program in 2008-09. MVPS also offers AP and SAT exam preparation courses. All students are required to gain approval from their local school before they can take an online course through MVPS. Private and homeschool students must meet the same requirement and can use the local public school for which they are zoned.

MVPS is limited in offering online courses for Subject Area Test course areas (Algebra I, English II, Biology I, and U.S. History), which students must pass in order to graduate from high school. During the 2008-09 school year, students were not permitted to take these courses through MVPS if it was the first time they enrolled in the course. Students do have the option to take online courses in these subject areas if they are enrolled for credit recovery. This policy is being re-evaluated for the 2009-10 school year.

The State Board of Education established policy for virtual schools in 2006 and retains approval authority for all coursework and policy of the Mississippi Virtual Public School and any other programs in the state. The State Board established a set of “guiding principles” for virtual schools that is administered by the Mississippi Department of Education (MDE).<sup>66</sup>

There are no virtual charter schools in Mississippi.

<sup>65</sup> Mississippi Code 37-161-3; retrieved September 4, 2009, <http://michie.com/mississippi/lpext.dll?f=templates&fn=main-h.htm&cp=mscode>

<sup>66</sup> State Board Policy; retrieved September 4, 2009, [http://www.mde.k12.ms.us/SBE\\_policymanual/5400.htm](http://www.mde.k12.ms.us/SBE_policymanual/5400.htm)

## North Carolina

North Carolina's state virtual school, the North Carolina Virtual Public School (NCVPS), grew out of the recommendations of the e-learning commission within the Business Education Technology Alliance (BETA) created by the Lt. Governor and State Board of Education. The State Board agreed with the recommendations, and State Board action in August 2005 formally created the program.<sup>67</sup> In 2008, NCVPS received a total appropriation of \$11.2 million. The North Carolina General Assembly has also charged NCVPS to develop and implement a funding plan based upon average daily membership or enrollment. This funding formula is to be presented in fall 2009 with a goal of being in place by January 2010.

Legislation passed in 2007 established the Learn and Earn Online (LEO) program, a dual enrollment program that allows public high school students to earn college credits. In January 2008, NCVPS became the coordinator for Learn and Earn Online services between UNC-Greensboro's iSchool, the North Carolina Community College System and the Department of Public Instruction. Students in grades 9-12 can now take dual-enrollment courses for college credit free of charge at 48 participating community colleges and the UNC-G iSchool, regardless of the college service areas in which they reside. Over 5,000 students were dual-enrolled in LEO in 2008-09. The State Board of Education allots funds for tuition, fees, and textbooks.

### Online programs<sup>68</sup>

NCVPS officially opened for the summer 2007 session, offering courses in grades 9-12, with 15,721 course enrollments in 2008-09, and 30,000 course enrollments projected for 2009-10. NCVPS began offering summer school in 2008 and had over 9,000 course enrollments in summer of 2009. Legislation directs that "...all e-learning opportunities offered by state-funded entities to public school students are consolidated under the North Carolina Virtual Public School program, eliminating course duplication." The legislation requires NCVPS to "prioritize e-learning course offerings for students residing in rural and low-wealth county LEAs." NCVPS reports to the State Board of Education.



#### NORTH CAROLINA

##### **State virtual school**

North Carolina  
Virtual Public School

##### **Other statewide programs**

No

##### **Other significant programs**

No

##### **State-level policy**

Session Law  
2005-276 created the pilot for North Carolina Virtual Public School in 2005 and Session Law 2006-66 Section 7.16 funded the program

<sup>67</sup> North Carolina General Assembly Session Law 2005-276 Senate Bill 622, Section 7.41 Plan and Funding for a Virtual High School by the State Board of Education; retrieved August 2, 2009, <http://www.ncga.state.nc.us/EnactedLegislation/SessionLaws/HTML/2005-2006/SL2005-276.html>

<sup>68</sup> Quotes in the following two sections are from Sections 7.16(b) and (c) of S1741v8; retrieved August 2, 2009, <http://www.ncga.state.nc.us/Sessions/2005/Bills/Senate/HTML/S1741v8.html>

	<b>OKLAHOMA</b>
<b>State virtual school</b>	No
<b>Other statewide programs</b>	Public school districts provide their own online programs or contract with education management organizations to provide virtual programs to students enrolled in participating districts
<b>Other significant online programs</b>	Two university-sponsored, tuition-based high school programs
<b>State-level policy</b>	State code in place since 2000 sets distance learning guidelines

## Oklahoma

Oklahoma does not have a state virtual school but does have two statewide full-time online schools: the Oklahoma Virtual High School (OVHS) and Oklahoma Virtual Academy. OVHS enrolls over 800 students and is expanding to service grades 6-12 in the fall 2009. OVHS is managed by Advanced Academics in conjunction with eight Oklahoma public school districts in 2008-09. Oklahoma Virtual Academy is managed by K12 Inc. and contracted with the White Oak School District to serve grades 1-6. Students from districts other than the nine districts contracted with these two companies can transfer into one of these districts during the state's open transfer period of January 1 through April 1 and are funded based on standard state per pupil public education funding. In addition to the full-time online schools, there are several supplemental programs. Oklahoma State University K-12 Distance Learning Academy is a supplemental program offering a handful of courses for a fee. The University of Oklahoma Independent Learning High School, started in 2000, is supplemental but also has a diploma-granting arm known as OU High School. Some of the more than 100 courses are online; many are correspondence.

### State policies

Oklahoma has formal policy that requires local school board policies for online courses, and provides a few guidelines, which are detailed below. Quotes are taken directly from state code.<sup>69</sup> In 1999, the State passed a limited charter school law, which authorizes certain entities within counties having at least 500,000 residents (Oklahoma City and Tulsa counties) and at least 5,000 students in a district to start a charter school. These entities include 12 public school districts, the area Career Tech Centers that serve these districts, and certain "qualifying" institutions of higher education.

### Governance, tracking, and accountability

On May 2, 2009 the Oklahoma governor signed into law Senate Bill 604 creating a seven-member task force "to study the efficiency and accountability of the state's Internet-based instruction program. The task force will review Internet-based instruction programs offered throughout the state and make recommendations for any statutory or regulatory changes necessary to improve the accountability and effectiveness of the program. The task force must submit its findings by November 10, 2009."<sup>70</sup>

Local school board policy must address "monitoring of student progress, graded assignments, and testing." Students in an online program must be "regularly enrolled" in the school district of the online program through the state's open transfer or emergency transfer processes; however, a district may make exceptions to that process for students who have dropped out or have been suspended if they were Oklahoma public school students at any time in the previous three years.

<sup>69</sup> Information in this section is based on Oklahoma State Code 210:35-21-2: Alternative Instructional Delivery Systems; retrieved July 16, 2009, [http://www.oar.state.ok.us/register/Volume-26\\_Issue-07.htm](http://www.oar.state.ok.us/register/Volume-26_Issue-07.htm)

<sup>70</sup> Oklahoma Senate Bill 604 becomes law creating online learning accountability task force; retrieved August 12, 2009; [http://www.oksenate.gov/news/press\\_releases/press\\_releases\\_2009/pr20090511dpv.html](http://www.oksenate.gov/news/press_releases/press_releases_2009/pr20090511dpv.html)

## Quality assurance, teaching, and curriculum

- Teachers “shall be provided in-service training” in distance learning technology.
- Each school must designate a staff member to serve as a local facilitator for students.
- The school must formally approve each student’s participation in an online course.
- Teachers may be certified in another state, or may be a faculty member at a postsecondary institution. Students in online courses must take the state assessments at “the school site at which the student is enrolled.”
- Local school boards must set a policy for the number of students each instructor will have in an asynchronous course; in a synchronous course the number of students per class and per day is the same as in face-to-face courses.

## South Carolina

South Carolina formally established the South Carolina Virtual School Program with the passage of Act 26 in 2007. The bill makes the South Carolina Virtual School Program available to all students under age 21, including private school and homeschooled students, and limits students to three online credits per year and 12 throughout high school. The Virtual School Program is a supplemental middle and high school program, operated by the state education agency with 12,976 course enrollments, including Adult Education students, and a budget of \$3.2 million in 2008-09.

The law also allows online charter schools but restricts instruction: “no more than seventy-five percent of a student’s core academic instruction in kindergarten through twelfth grade via an online or computer instruction program.”<sup>71</sup> The law states that the 25% of non-online instruction can be accomplished through “regular instructional opportunities in real time that are directly related to the school’s curricular objectives, including, but not limited to, meetings with teachers and educational field trips and outings.” The terms “online,” “computer instruction,” and “real time,” were not clearly defined by legislature during the passing of the law, allowing some confusion between real time and online. The South Carolina Department of Education clarified the law by issuing guidance as to what instructional methods meet the requirement for “regular instructional opportunities in real time”<sup>72</sup> to include web conferencing, audio conferencing, field trips, face-to-face group meetings, and student clubs in academic areas. By including web conferencing and audio conferencing, the Department maintained the ability of full-time online schools to meet the law’s requirements without significant changes to their instructional methods.

The South Carolina Public Charter School District (SCPCSD) approves virtual charter school applications and authorized at least three full-time statewide online charter schools starting fall 2008. Public demand has been high, and the virtual charters were required to conduct lotteries



**SOUTH CAROLINA**

**State virtual school**  
South Carolina Virtual School Program

**Other statewide or significant online programs**  
Full-time virtual charter schools  
SC Connections Academy, SC Virtual Charter School

**State-level policy**  
Act 26 of 2007 establishes the Virtual School and allows virtual charter schools

<sup>71</sup> South Carolina General Assembly; retrieved September 3, 2009, [http://www.scstatehouse.net/sess117\\_2007-2008/bills/3097.htm](http://www.scstatehouse.net/sess117_2007-2008/bills/3097.htm)

<sup>72</sup> South Carolina Charter School Application Review Guide (Virtual Start-Up Charter Schools)

per state code, and have waiting lists for future enrollments.<sup>73</sup> There are no enrollment limits for charter schools. The SCPCSD is one of the first charter authorizing agencies in the country to be a LEA (local education agency) as well as a charter authorizer.

## Online programs

In addition to the South Carolina Virtual School, five virtual charter schools will serve 4,532 students as of fall 2009, up from approximately 2,500 students in 2008-09. This includes South Carolina Virtual Charter School (SCVCS) operated by K12 Inc. and South Carolina Connections Academy (SCCA), serving students in grades K-12. Three new virtual charter schools opened for the 2009-10 school year.<sup>74</sup>

## State policies

### Funding

Virtual charter schools are funded by the same formula applied to all charter schools in the state; virtual charter school funds are distributed by the South Carolina Public Charter School District.

### Governance

The following requirements are specific to virtual charter school applicants:<sup>75</sup>

"If the governing body of a charter school offers as part of its curriculum a program of online or computer instruction, this information shall be included in the application and the governing body shall be required to....:

- Ensure that a parent or legal guardian of each student verifies the number of hours of educational activities completed by the student each school year.
- Adopt a plan by which it will provide:
  - frequent, ongoing monitoring to ensure and verify that each student is participating in the program, including proctored assessment(s) per semester in core subjects graded or evaluated by the teacher, and at least bi-weekly parent teacher conferences in person or by telephone;
  - regular instructional opportunities in real time that are directly related to the school's curricular objectives, including, but not limited to, meetings with teachers and educational field trips and outings..."
- Administer to all students in a proctored setting all applicable assessments as required by the South Carolina Education Accountability Act."

All virtual charter school online courses must be reviewed and approved by the Department of Education as one of the last steps in charter school authorization.

<sup>73</sup> Personal communication with Phillip Willis, South Carolina Public Charter School District, July 18, 2008

<sup>74</sup> Personal communication with Joel Medley, SC Department of Education, September 28, 2009

<sup>75</sup> South Carolina Charter School Application Review Guide (Virtual Start-Up Charter Schools)

## Tennessee

The state e-learning program, e4TN, is funded through an annually renewable grant that was originally awarded to the program in partnership with Hamilton County Department of Education in 2005. Funding for the 2008-09 school year was \$1.76 million of which \$1.6 million is from a federal grant. In addition, the Tennessee Electronic Learning Center (ELC) is an online learning resource for parents, students, and teachers created in conjunction with Apple. Some content is based on iTunes and has a dedicated page on iTunes U with podcasts for students. The ELC also has a GSPP (Governors Study Partners Program) which contains curriculum standards and professional development information for teachers and administrators as well as resources for parents and students. In 2008 the Tennessee Legislature passed PC1096 that created the opportunity for online charter schools, although as of September 2009 none have been authorized.

### Online programs

e4TN entered its implementation phase as the state virtual school in 2008 after conducting a three-year Beta Test Pilot (BTP) with districts across the state. The early emphasis for e4TN during the pilot phase was on the development of online courses; twenty-seven e4TN one-credit courses and two e4TN half-credit courses have been produced. Another portion of the original grant was awarded to seven school districts which were involved in piloting 59 licensed courses through the Host Membership Pilot (HMP) that also tested procedures in online learning created by Hamilton County Virtual School (HCVS) teachers and technical staff.<sup>76</sup> The HMP pilot program created a teacher pool of 220 teachers across Tennessee that have been trained and are experienced in online learning. All aspects of the pilot programs have been consolidated under e4TN which offers courses from providers previously managed by HCVS, as well as those developed by e4TN. e4TN served 2,063 students in grades 6-12 across all 136 districts in 2008-09 with between 2,000 and 2,500 half-credit course enrollments.

In addition to e4TN, there are several district level programs including Hamilton County Virtual School. Districts have the opportunity to use e4TN to set up district-level online programs using e4TN courses or vendor content. However, if the courses do not come through e4TN, the individual districts must apply for state approval through the TN Department of Education.

In fall 2009, e4TN and the Tennessee Board of Regents (Higher Education governing board) partnered to offer a P-20 initiative learning management system.

### State policies

The Tennessee Legislature passed Public Chapter 1096 (SB2008)<sup>77</sup> in June 2008 that directs the State Board of Education to develop policies and guidelines for the Department of Education and LEAs (Local Education Agencies) to operate virtual schools, further stating, "A virtual school would be provided equitable treatment and resources as any other public school in the state." The bill authorizes local education agencies to use BEP (Basic Education Program) funds to implement and

<sup>76</sup> E4TN web site; retrieved September 21, 2009, <https://www.e4tn.org/cms/index.php?page=about>

<sup>77</sup> Public Charter 1096 (SB2008); retrieved September 21, 2009, <http://www.legislature.state.tn.us/bills/currentga/Chapter/PC1096.pdf>



### TENNESSEE

**State virtual school**  
e4TN

**Other statewide programs**  
No

**Other significant programs**  
Hamilton County Virtual School and other district-run programs

**State-level policy**  
Tennessee enacted a virtual public school law (PC1096) in 2008 and State Board policies specific to distance and e-learning (2008)

operate virtual education programs. The language of the statute regarding access to online courses is unclear: “participation in a virtual education program by a student shall be at the discretion of the local education agency in which the student is enrolled or zoned to attend.”

The SBE policy,<sup>78</sup> published in August 2008, places the responsibility and control of implementing online learning programs in the hands of the local education agencies. The policies support the use of supplemental online learning to provide students who need more options:

“Districts are encouraged to utilize e-learning and distance learning for students with health related issues, for credit recovery, for alternative learning settings, to ameliorate issues of education equity, or for any other student need where nontraditional instructional delivery is appropriate... Students may be permitted to access distance learning and e-learning courses to expand and enhance the curricular offerings available to them. These may include highly rigorous courses that are otherwise unavailable including, but not limited to courses that lead to college credit.”

A key phrase of the SBE policy states, “In an onsite education setting, e-learning and distance learning may, in exceptional cases and in accordance with local education agency policy, be a student’s primary source of instruction.”

PC1096 requires the Department of Education to submit an annual report including the following:

- “The operation of virtual education program,
- The number of students enrolling in these programs and the success of the students,
- Efforts made to improve the programs and the delivery of classes,
- Funding received and the adequacy of the funding.”<sup>79</sup>

Virtual schools will be evaluated annually by sponsor organizations based on the following criteria:

- “The extent to which the school demonstrates increases in student achievement according to the goals of its authorizing contract and state academic standards;
- The accountability and viability of the virtual school, as demonstrated by its academic, fiscal, and operational performance.”

All teachers employed by a virtual school must have a current Tennessee teaching license or meet the minimum requirements for licensure as defined by the State Board of Education.

The law also limits online schools to students who were in the public education system the previous year, along with students “who are receiving hospital or homebound instruction.”

<sup>78</sup> Tennessee State Board of Education, Approved Board Policies, Standards and Guidelines; retrieved September 18, 2008, 3.205; retrieved <http://tennessee.gov/sbe/policies.html>

<sup>79</sup> Tennessee legislative brief; retrieved, June 29, 2008, <http://www.legislature.state.tn.us/bills/currentga/asp/WebBillInfo/Summary.aspx?BillNumber=HB1872>

## Texas

Senate Bill 1788, passed by the 80<sup>th</sup> Texas Legislature in 2007, established a state virtual network to provide supplemental online courses for Texas students. Courses are provided by Texas school districts, open enrollment charter schools, Education Service Centers, and institutions of higher education. The Texas Virtual School Network (TxVSN) began offering courses for students in grades 9-12 courses in January 2009.

The Texas Education Agency (TEA) provides state-supported online learning opportunities to students across the state through the TxVSN using a network approach.

- Centralized responsibilities include leadership, administration, operations, course review, approval of required professional development for teaching online, and funding.
  - TEA administers the TxVSN, sets standards for and approves TxVSN courses and professional development for online teachers, and has fiscal responsibility for the network.
  - Day to day operation of the TxVSN is contracted to Education Service Center (ESC) Region 10, which serves as Central Operations for the network in collaboration with the Harris County Department of Education. Central Operations developed and coordinates the centralized TxVSN registration and student enrollment system, ensures eligibility of TxVSN Provider Districts, publishes an online catalog of approved courses, and coordinates data needed for state reporting requirements.
  - TEA contracts with ESC Region 4 to review online courses submitted by potential Providers Districts.
  - A group of professional development providers approved by TEA offers the required professional development for teaching online for the TxVSN.
- TxVSN Provider Districts provide the courses offered through the TxVSN and are responsible for instruction.
- TxVSN Receiving Districts (student's home district) approve their students' TxVSN course requests, provide ongoing support to local students enrolled in TxVSN courses, and award credits and diplomas.

Independent school districts with a state accountability rating of Acceptable or higher and open-enrollment charter schools with a state accountability rating of Recognized or higher; regional ESCs; and Texas public or private institutions of higher education may apply to become a TxVSN Provider District. Provider Districts submit courses they developed locally or acquired through a third party to the network for review. Approved courses are added to the TxVSN course catalog and become available to students across the state through the network's centralized student enrollment system. The TxVSN courses catalog will continue to expand as additional provider courses are approved by TxVSN Course Review.

 <p><b>TEXAS</b></p>
<b>State virtual school</b>
Texas Virtual School Network (TxVSN), and Electronic Course Program (eCP)
<b>Other statewide programs</b>
No
<b>Other significant online programs</b>
Some district programs
<b>State-level policy</b>
Texas Education Code (TEC) Chapter 30A established the state virtual school network in June 2007; sections of HB3646 amended existing state virtual school network law

The TxVSN is conducting a small pilot program for courses earning both high school and college credit (dual credit), beginning with the 2009-10 school year.

In addition to courses offered through the TxVSN, TEA is continuing to administer a full-time virtual program for grades 3-9, called the Electronic Course Program (eCP). The eCP began serving students in spring 2006. House Bill 3646<sup>80</sup> signed into law in June 2009 repealed the separate statute which created the eCP as a pilot (TEC Section 29.909<sup>81</sup>) and incorporated the eCP as a program under TEC Chapter 30A, which established the TxVSN. The eCP is being phased into TEC Chapter 30A beginning with the 2009-10 school year.

## Online programs

Texas does not have statewide online charter schools, but a growing number of school districts and open-enrollment charter schools are offering virtual courses or educational programs. The University of Texas and Texas Tech also offer online high school courses, but these are not funded by state K-12 education funds; students or districts pay for the courses.

## State policies

Texas authorizes all public schools to offer online courses to their students. Districts may grant credit for a course if they have determined that the course meets or exceeds the state's curriculum standards for that content area. In order for the district to receive state funding—which is based on average daily attendance—students must meet the normal attendance accounting rules of the state. TxVSN courses have already been reviewed by the state against Texas' curriculum standards; therefore districts are not required to determine alignment. In addition to state policies for distance learning, there are specific program requirements and policies for districts participating in the TxVSN and the eCP.<sup>82</sup>

## Funding

During the 2008-09 school year districts paid for the online courses provided by TxVSN. However, HB3646 created an allotment to fund courses provided through the TxVSN. If a student successfully completes an online course provided through the TxVSN, the TEA will provide a payment of \$400 per semester course to the district providing the course (TxVSN Provider District) and \$80 to the district in which that student is enrolled (TxVSN Receiving District). The online course must be part of the student's normal course load and meet one of the graduation requirements. In addition, a separate source of funds will supply the same funding for online courses provided above a student's normal course load. Districts will be paid half of the \$400 for initial start-up costs and the remainder after the TEA receives verification from Central Operations that the courses were successfully completed. Districts are not allowed to receive this dedicated funding to serve their own students. While some districts may have different schedules, the Agency will be proposing a rule to define a normal course load as seven credits based on a seven-period day.

Additionally, public school funding is paid from Foundation School Program (FSP) funds to districts and open-enrollment charter schools based on average daily attendance (ADA), a full-time equivalency model based on seat time. To generate this state funding, students must be physically present at school and meet the state's normal attendance accounting rules. If an eligible student who resides in this state but is not enrolled in a Texas school district or open-enrollment charter school as a full-time student registers for a TxVSN course (other than a student in foster care or certain dependents of military personnel), no state funding is provided, and the TxVSN course fee must be paid by the student.

<sup>80</sup> HB3646; retrieved September 17, 2009, <http://www.legis.state.tx.us/tlodocs/81R/billtext/pdf/HB03646F.pdf>

<sup>81</sup> Texas Education Code 29.909.00; retrieved September 17, 2009, <http://law.onecle.com/texas/education/29.909.00.html>

<sup>82</sup> Policy information for the TxVSN is available [www.txvsn.org](http://www.txvsn.org), and information for the eCP is available at [www.tea.state.tx.us/technology/ecp](http://www.tea.state.tx.us/technology/ecp)

## **TxVSN funding**

- For the 2007-08 school year, \$1M for establishment and operation of the TxVSN Central Operations and the Course Review process was provided through state funds, not direct appropriation to the program. No funding was provided for student courses.
- For the 2008-09 school year, \$1.3M for operation of TxVSN Central Operations and Course Review was provided through state funds, not direct appropriation to the program. No funding was provided for student courses.
- For the 2009-10 school year, \$10.15M was appropriated for TxVSN Central Operations, Course Review, four new studies required by HB 3646, and student courses.
- For the 2010-11 school year, \$10.15M was appropriated for TxVSN Central Operations, Course Review, continuation of the studies required by HB 3646, and student courses.

## **eCP funding**

- Students in grades 3-9 who participate in the eCP full-time virtual program will generate state funding from the Foundation School Program (FSP) based on successful completion, per the rules of the program. Funding is equivalent to state funding for a student enrolled full-time in a traditional classroom. A funding penalty may apply, based on student performance on the statewide student assessment exams.

## **Governance, tracking, and accountability**

- The Commissioner of Education is responsible for the TxVSN and eCP, with staff at the TEA serving as the administering authority. The commissioner will prepare a report to the governor and legislature for each fiscal year documenting the activities of the state virtual school network.
- The TxVSN is a supplemental rather than diploma-granting program. The home district continues to award credits and diplomas, and the TxVSN works in partnership with the home district to meet student needs.
- Students participating in the eCP must be enrolled full-time in a Texas district or open-enrollment charter school approved to participate in the program.
- All public school students participating in TxVSN courses or in the eCP must take the appropriate statewide student assessment (Texas Assessment of Knowledge and Skills) and the AP exam (if applicable) at the regularly scheduled times. Schools are required to physically proctor administration of these exams.

## **Quality assurance, teaching, and curriculum**

- Online courses must meet the same state curriculum standards as traditional courses, the Texas Essential Knowledge and Skills (TEKS).
- Online courses submitted to the TxVSN are reviewed to ensure they meet the TEKS, as well as the iNACOL *National Standards of Quality for Online Courses*.
- Each instructor teaching an online course through the TxVSN is Texas-certified in the course subject area and grade level or meets the credentialing requirements of the institution of higher education, and has met the professional development requirements of the network for effective online instruction, which are based on mastery of iNACOL's *National Standards for Quality Online Teaching*.
- All students participating in the eCP and all public school students taking courses through the TxVSN are required to take the appropriate statewide student assessment; all districts and open-enrollment charter schools are included in the state's accountability system.

	<b>VIRGINIA</b>
<b>State virtual school</b>	<b>Virtual Virginia</b>
<b>Other statewide programs</b>	<b>No</b>
<b>Other significant online programs</b>	<b>District and regional programs</b>
<b>State-level policy</b>	<b>No</b>

## Virginia

Virtual Virginia, operated out of the Virginia Department of Education, is the state virtual school. Virtual Virginia emerged through the process of combining the Virginia Satellite Education Network (VSEN), which began delivering courses in 1983 using satellite technology, and the Virginia Virtual Advanced Placement School (VVAPS). Virtual Virginia's for-credit course enrollments reached 5,236 in 2008-09 with an additional 6,204 students enrolled in non-credit online tutorials. Students are guaranteed enrollment in Virtual Virginia's program if they are registered by June 30 for the upcoming academic year. After that date, enrollment is on a space available basis only. The program provides access and opportunity for students to complete Advanced Placement (AP), world language, core, and elective courses and limits enrollments to 15 students per course.

Virtual Virginia funding is largely based on state appropriations, approximately \$3 million in 2008-09, with a small amount of funding coming through course registration fees charged to out-of-state and non-public school students. Honors courses, electives, and world language courses are free to Virginia public school students. A per student, per course fee ranging from \$75 to \$300 is charged to school districts for AP courses based upon the local composite index. Public school students who qualify as Early College Scholars may take AP courses free of charge. Over 60% of Virtual Virginia's enrollment is in its AP courses.

While the program does not currently offer a credit recovery program, it does offer tutorials to assist in credit recovery. Algebra I and reading tutorials are offered online as a free service for students statewide. The non-credit tutorials are offered throughout the year and are designed to assist students in passing language and math standards of learning exams.

Distance learning courses are governed by the Virginia Standards of Accrediting Public Schools. Each local school district starting an online program is required to establish a district distance learning plan. The plan must be approved by the local school board, incorporated into the school policy manual, and reviewed as part of the accreditation process. The Accreditation Standards indicate that the distance course should be "equivalent" to a regular school course and that the work must be under the supervision of a licensed teacher or a person eligible to hold a Virginia teaching license and approved by the school board. Local schools are responsible for administering Virginia's Standard of Learning (SOL) test for each course for which this test is required. The Virginia Department of Education confirms that there are no new state-level initiatives or developments in policies or legislation specific to online education in 2008-09.

## Online programs

In addition to the state virtual school, several supplemental district and regional online programs exist. At this time, Virginia does not have any full-time online programs. Virginia has a charter school law and several charter schools in operation; however, there are no online charter schools. A partial list of online programs in Virginia includes Virtual Virginia, Fairfax Public Schools Online Campus, Arlington Public Schools Distance Learning, Prince William County Schools Virtual High School, Halifax Virtual Academy, Montgomery County Public Schools, Pittsylvania County Virtual School Program, Roanoke County Public School, Virtual Virginia Beach (Virginia Beach City Public Schools), and York County Virtual High School. In addition, there are several virtual governor's schools: Linwood Holton Virtual Governor's School, Commonwealth Governor's School and Blue Ridge Virtual Governor's School.

## West Virginia

Most of the online education activity in West Virginia is through the West Virginia Virtual School (WVVS), the state virtual school that serves students in grades 6-12. Created by statute in 2000, WVVS began enrolling students in the spring of 2002. WVVS is housed within the West Virginia Department of Education and is governed by statute and State Board Policy 2450.<sup>83</sup> It offers approximately 161 courses. Third-party providers supply all courses, except the Spanish courses. The WVVS budget, now at \$650,000 for the 2008-09 school year, pays for online courses on a first-come, first-served basis; after that, students may take courses if the course fee is paid by their local school or, in some cases, by their parents. Fees range from \$150 to \$850 per credit depending on the course provider. WVVS had 3,172 course enrollments in 2008-09 with 1,355 students.

There are no other major online programs or initiatives in West Virginia, although some districts such as Kanawha County and Harrison County have online programs. West Virginia does not have a charter school law.

In summer 2008, State Board Policy 2510 was amended to recommend that students complete an online learning experience as part of graduation requirements, beginning with students entering 9<sup>th</sup> grade in the 2008-09 school year.<sup>84</sup> The Office of Instructional Technology with the WV Department of Education is developing guidance for districts and counties for the online learning experience recommendation. The guidance includes options such as West Virginia Virtual School courses or use of the WVLearn e-learning platform for an online component in face-to-face classrooms to extend student learning opportunities. The WVLearn platform is also being utilized to provide professional development courses at no cost to any West Virginia educator.

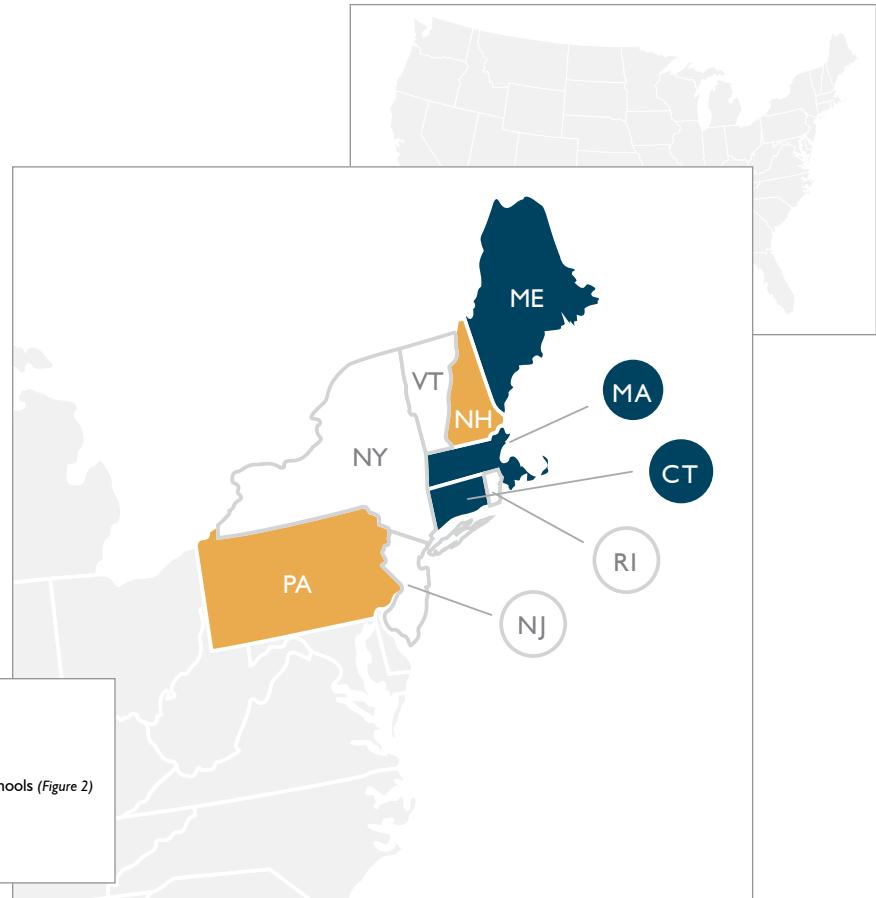
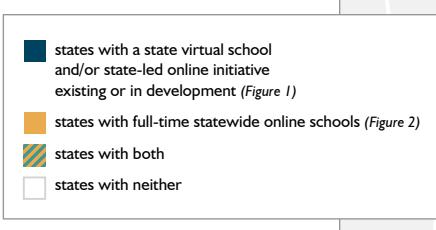
	<b>WEST VIRGINIA</b>
<b>State virtual school</b>	West Virginia Virtual School
<b>Other statewide programs</b>	No
<b>Other significant online programs</b>	No major district programs; no charter school law; some small district programs
<b>State-level policy</b>	State Board Policy 2450; State Board Policy 2510, students should complete an “online learning experience” as part of graduation requirements starting in 2008

<sup>83</sup> West Virginia Department of Education, Title 126, Legislative Rule, State Board of Education, Series 48, Distance Learning and the West Virginia Virtual School (2450); retrieved August 20, 2008, <http://wvde.state.wv.us/policies/p2450.html>

<sup>84</sup> West Virginia Department of Education, Title 126, Legislative Rule, State Board of Education, Series 42, Assuring the Quality of Education: Regulations for Education Programs (2510), page 19; retrieved August 21, 2008, <http://wvde.state.wv.us/policies/p2510.pdf>

# State policy profiles:

## NORTHEAST



### Connecticut

Launched state virtual school, Connecticut Virtual Learning Center in 2008, funded by course fees; CT Adult Virtual High School offers online diploma program for adults; and consortium of regional education agencies offers courses through the Virtual High School Global Consortium to 57 high schools.

### Maine

The Maine Online Learning Program was created in 2009 to approve online providers and to review online learning initiatives and best practices established in other states by January 2010; over 35 high schools (25% of the high schools in the state) offer courses via the Virtual High School Global Consortium.

### Massachusetts

MassONE is a state-led initiative to provide online professional development and course management tools to teachers and students across the state, including a pilot of a statewide LMS application; over 150 high schools (39% of high schools in the state) offer courses via the Virtual High School Global Consortium.

### New Hampshire

State has formal rules on distance learning; the first statewide online charter school, the New Hampshire Virtual Learning Academy Charter School, launched in 2008 and is largely supplemental.

### New Jersey

Distance learning is primarily through video, although some school districts contract with providers and 43 high schools provide online courses through membership in the Virtual High School Global Consortium.

### New York

New York has no state virtual school and no state policy; AccelerateU provides courses for partner districts and BOCES; a charter school cap and past charter denials currently block online charter development.

### Pennsylvania

Eleven online charter schools and extensive state oversight; HB1067 (2008) established a Virtual High School Commission to study the costs and feasibility of creating a state virtual school.

### Rhode Island

No state-led or statewide online programs, although nine high schools (14% of high schools in the state) offer online courses through the Virtual High School Global Consortium.

### Vermont

Vermont Department of Education released on RFP based on task force and new educational technology plan recommendations to solicit an entity to lead and coordinate a distance learning initiative to manage a statewide distance learning network.

## Connecticut

The CT Virtual Learning Center (CTVLC) was launched by the CT Department of Education in 2008 to offer supplemental online courses to public high schools.<sup>85</sup> CTVLC had about 250 course enrollments in 2008-09; about 85% of these were evenly split between credit recovery and AP courses.<sup>86</sup> CTVLC will offer 25 courses in fall 2009. The program is operated by the Connecticut Distance Learning Consortium (CTDLC), an organization within the Department of Higher Education, in partnership with the State Department of Education; it is funded by an appropriation from the State General Assembly. The Virtual Learning Center initially received two years of funding (for the 2007-08 and 2008-09 school years), but the second year was later retracted due to state budget constraints. Without an annual appropriation the Virtual Learning Center now offers courses for \$295 per semester course enrollment to all of the state's public school students and \$320 for private high school and homeschool students.<sup>87</sup> Funding CTVLC through course fees has impacted course enrollments. School district budgets must be submitted a year in advance, leaving districts with little opportunity to budget or plan for the use of CTVLC online services. The CTDLC will continue to provide technology infrastructure and other operational support for the CTVLC program despite the budget cuts.<sup>88</sup>

Although legislation regarding K-12 online learning was introduced in 2007 and 2008, no laws were passed, leaving Connecticut without formal policies regarding course quality, professional development, and other online learning issues. Legislation proposed in 2009, SB00967,<sup>89</sup> is still pending as of August 2009 and would "allow boards of education to grant credit towards meeting the high school graduation requirement for the successful completion of online coursework."

Three other online programs exist in the state. The Connecticut Adult Virtual High School (CTAVHS) is a statewide online program, also run by the CTDLC that provides students enrolled in Connecticut's Adult Credit Diploma Programs the option of earning credits online. This program is funded by the federal Department of Education through state grants that pay for course enrollments. The CTAVHS has more than doubled course enrollments in both 2007-08 and 2008-09 with over 2,400 course enrollments in 2008-09.<sup>90</sup> The Connecticut Regional Educational Service Center (RESC) has a partnership with Massachusetts-based Virtual High School Global Consortium (VHS) to provide VHS membership to school districts at reduced rates to 57 high schools (25.4% of high schools in the state) across the state. Finally, the Virtual Learning Academy, a RESC program, offers online credit recovery and special needs courses.<sup>91</sup>

CONNECTICUT	
<b>State virtual school</b>	CT Virtual Learning Academy
<b>Other statewide programs</b>	CT Adult Virtual HS
<b>Other significant online programs</b>	Nearly 60 high schools use Virtual High School Global Consortium services
<b>State-level policy</b>	No

<sup>85</sup> *Online Courses Available to Connecticut High School Students*, Connecticut State Department of Education; retrieved July 19, 2009, [http://www.sde.ct.gov/sde/lib/sde/word\\_docs/Pressroom/OnlineCourses\\_Available\\_CTHigh\\_School\\_Students.doc](http://www.sde.ct.gov/sde/lib/sde/word_docs/Pressroom/OnlineCourses_Available_CTHigh_School_Students.doc)

<sup>86</sup> 2009 Keeping Pace program survey

<sup>87</sup> Personal communication with Gretchen Hayden, Connecticut Distance Learning Consortium, August 12, 2009

<sup>88</sup> Ibid

<sup>89</sup> SB00967, bill summary; retrieved August 12, 2009, <http://www.cga.ct.gov/2009/ba/2009SB-00947-R01-BA.htm>

<sup>90</sup> Personal communication with Gretchen Hayden, Connecticut Distance Learning Consortium, August 12, 2009

<sup>91</sup> *Online Courses Available to Connecticut High School Students*, Connecticut State Department of Education, January 2008; retrieved July 19, 2009, [http://www.sde.ct.gov/sde/lib/sde/word\\_docs/Pressroom/OnlineCourses\\_Available\\_CTHigh\\_School\\_Students.doc](http://www.sde.ct.gov/sde/lib/sde/word_docs/Pressroom/OnlineCourses_Available_CTHigh_School_Students.doc)

The CTDLC has found economies of scale and savings by centralizing LMS and support desk services for the CT Virtual Learning Center, the Connecticut Adult Virtual High School and 16 other education and training providers. Estimates suggest that operating a single technical support service saves about half the cost that would be incurred if each program and institution operated individual support desks.<sup>92</sup>

	<b>MAINE</b>
<b>State-led initiative</b>	
Maine Online Learning Program (in development)	
<b>Other statewide programs</b>	
No	
<b>Other significant online programs</b>	
36 high schools are members of the Virtual High School Global Consortium	
<b>State-level policy</b>	
Legislation (SP0531, Public law Chapter 330) created the Maine Online Learning Program; no charter school law	

## Maine

In 2009, the Maine Online Learning Program was created by SP0531<sup>93</sup> to provide online learning programs and courses for kindergarten to grade 12 students. Goals of the program include:

- “Create educational opportunities for students in this State that may not exist without such technology;”
- “Close the achievement gap between high-performing and low-performing students, including the gap between minority and non-minority students and between economically disadvantaged students and their more advantaged peers;”
- “...provide parents a broader range of educational options and to help students in the State improve their academic achievement;” and
- “Increase the capacity of school administrative units to provide public school choice for students whose educational needs are not being met in the regular public school program.”

The Maine Online Learning Program (MOLP) is directed to establish criteria for the creation of an approved list of online learning providers and supply a list of providers to districts by June 2010. The legislation also establishes definitions for an online learning course or program, online learning providers, and a “proctored environment.” The legislation directs the MOLP to “...review the online learning initiatives established in other states and jurisdictions, including the best practices established by these online learning initiatives related to funding, governance, approval requirements for online learning providers, teacher quality, assessment of student performance, accessibility of programs and materials for individuals with disabilities...”

The Maine DOE is required to report online data annually to the legislature, including a list of programs and courses offered through the program; the number of participating students; student performance; expenditures; and the number of students who were unable to enroll in an online learning program or course because of space limitation.

Maine has no charter school law and no major multi-district online programs. Most distance education at the state level has been delivered through videoconferencing by the Maine Distance Learning Project (MDLP), which connects 91 sites, including 83 of Maine’s 131 public (or approved private) high schools. The MDLP, in partnership with the University of Maine and the Department of Education, also offers some online Advanced Placement courses through the AP4ALL project funded by the DOE using APIP federal funds, providing 14 AP courses for fall 2009 with

<sup>92</sup> Commission for Education Technology report; retrieved July 19, 2009, <http://usasearch.gov/search?input-form=simplefirstgov&v%3Aproject=firstgov&query=legislation%2C+online+learning%2C+2009&affiliate=ct-sde&x=0&y=0>

<sup>93</sup> Maine public law, Chapter 330; retrieved August 26, 2009, [http://www.mainelegislature.org/legis/bills/bills\\_124th/chappdfs/PUBLIC330.pdf](http://www.mainelegislature.org/legis/bills/bills_124th/chappdfs/PUBLIC330.pdf); further quotes are from this source

approximately 175 students participating.<sup>94</sup> The Maine Department of Education also provides online test preparation as part of the Advanced Placement Incentive Program (APIP) for Maine high school students. The Virtual High School Global Consortium provides online courses and services to 36 high schools (25.5% of the high schools in the state) in Maine.

The Maine Learning Technology Initiative (MLTI) has equipped all the state's 7<sup>th</sup>- and 8<sup>th</sup>-grade students and teachers with one-to-one access to wireless notebook computers and the Internet for the past six years, and will be the first in the country to expand the program to provide laptops to all Maine high school students. The new computers will come with software that links parents to state Department of Labor services, including their Career Centers.<sup>95</sup>

## Massachusetts

Massachusetts has a state-led learning portal, MassONE, which offers online tools and resources to all teachers in the state. Teachers are rostering their students into their "classes" for blended (face-to-face and online) course work. Currently 57,699 teachers and students are active MassONE users (counted over the last 18 months). In addition, approximately 150 high schools are participating in online courses through the Virtual High School Global Consortium.

The Massachusetts Department of Elementary and Secondary Education continues to pilot the use of Moodle to provide teachers with a structure for conducting online coursework. The pilot is supported through NCLB Title II-D competitive grants and the federal Special Education, Project Focus grant. In the 2008-09 school year the MassONE Moodle offered 30 online courses including sixteen Special Education courses in Project Focus. The project had 213 participants using these courses daily for three months.

### State policies

Massachusetts does not have any legislation that governs online courses. In 2003 the State Department of Education published *"Massachusetts Recommended Criteria for Distance Learning Courses,"* which states "Since the Department does not approve or oversee online courses, it is up to each school district to decide if it will allow students to take online courses, determine which students can take online courses, and evaluate the available online course offerings."<sup>96</sup> The recommended criteria include:

- "The content of the course is aligned with the Massachusetts Curriculum Frameworks and is equivalent in rigor to traditionally delivered courses.
- The course makes the best use of available technologies and online resources to enrich the content. Face-to-face or other real-time meetings are provided for any content that cannot be effectively delivered online.

	<b>MASSACHUSETTS</b>
<b>State-led initiative</b>	Massachusetts Online Network for Education (MassONE)
<b>Other statewide programs</b>	No
<b>Other significant online programs</b>	About 39% of high schools in the state are members of the Virtual High School Global Consortium
<b>State-level policy</b>	Recommended Criteria for Distance Learning Courses published by the Department of Education in 2003

<sup>94</sup> AP4ALL; retrieved August 26, 2009, <http://www.ap4all.org/pages/history.html>, and personal communication with David Patterson, Maine Department of Education, August 26, 2009

<sup>95</sup> Maine SDE press release; retrieved August 5, 2009, <http://www.maine.gov/tools/whatsnew/index.php?topic=DOENews&id=69205&v=article>

<sup>96</sup> Recommended Criteria for Distance Learning Courses; retrieved July 24, 2009, from [www.doe.mass.edu/edtech/news03/dl\\_letter.html](http://www.doe.mass.edu/edtech/news03/dl_letter.html)

- The course provides frequent and timely interactions between the students and the online teacher, as well as among the students.
- The course provides ways to assess students' participation and achievement of learning goals.
- The online teacher has been trained and is skilled in methods of teaching online.
- The school designates an onsite coordinator, who manages technical and administrative issues and serves as the primary contact person between the school, the students, and the course provider.
- The learning environment and course materials are universally designed, making them accessible to all learners.”

In June 2008, the office of the Governor released the administration's education plan, “Ready for 21<sup>st</sup> Century Success, the Promise of Public Education.” The wide-ranging report states in its short-term action items that “the Department of Elementary and Secondary Education will accelerate efforts to make available to teachers an online, formative assessment system that will provide “real-time” data on student performance as measured against state standards.”<sup>97</sup>



## New Hampshire

New Hampshire does not have a state-led program, but has a statewide virtual charter school and at least one other regional online charter. The Virtual Learning Academy Charter School (VLACS) is New Hampshire's first statewide online high school, approved in May 2007, serving grades 7-12. VLACS is predominantly supplemental, unusual for a virtual charter school, with approximately 2,000 part-time students within the nearly 5,800 course enrollments in 2008-09. There are two sections to New Hampshire charter school law: (1) open enrollment schools, which require a school district vote to authorize the charter school, and (2) a “pilot” charter program.<sup>98</sup> VLACS was established under the pilot program and approved by the state board of education. Funding for VLACS comes from the state board, not from local school districts. VLACS funding per full-time student in 2008-09 was \$3,830, increasing to \$5,450 per full-time student in 2009-10. Although a moratorium has been instituted on state funding, VLACS enrollment is not limited as long as additional funding can be secured.

In 2009, House Bill 688<sup>99</sup> amended existing charter school law to streamline the local approval process by removing a town vote requirement, and clarifying funding for “open enrollment” charter schools, or charter schools that “accept pupils from other attendance areas within its district and from outside its district.” Funding for online students follows the student from the resident district to the open enrollment district; “...pupil's resident district shall pay to such school an amount equal to not less than 80 percent of that district's average cost per pupil as determined by the department of education....” The bill also directs the state board to “convene one or more working committees to study and make recommendations regarding the implementation and effectiveness of chartered public schools with recommendations provided to the legislative oversight committee....”

<sup>97</sup> Page 17, Ready for 21<sup>st</sup> Century Success: the New Promise of Public Education, The Patrick Administration Education Action AGENDA - JUNE 2008; retrieved July 24, 2009, <http://www.mass.gov/Eeoe/docs/ma-edplan-finalrev1.pdf>

<sup>98</sup> Title XV education, Section 194-B:3-a; retrieved August 11, 2009, <http://www.gencourt.state.nh.us/rsa/html/XV/194-B/194-B-mrg.htm>

<sup>99</sup> New Hampshire HB 688; retrieved July 31, 2009, <http://www.gencourt.state.nh.us/legislation/2009/HB0688.html>

In addition to VLACS, Great Bay eLearning Charter School offers online instruction blended with face-to-face instruction for grades 8-11. Also 30 high schools (32%) offered online courses through the Virtual High School Global Consortium in 2008-09.

A new dual enrollment program, eStart, is a collaboration between the NH community college system and VLACS. Credits earned through eStart will transfer to one of New Hampshire's community colleges, or to other colleges and universities in the state.<sup>100</sup>

New Hampshire does not have any state policies that govern online courses specifically, but does have state rules on distance learning that have been in effect since July 2005.<sup>101</sup> Most of the rules describe policies that the local school board must set for distance learning, without going into much detail. One provision states that the School Board must create policies to address "the number of students a teacher may be required to supervise" and "monitoring of student progress, grading of assignments, and testing." Two prescriptive provisions require that "students earning credit for distance education courses shall participate in all [state] assessments," and "credit courses require students to meet similar academic standards as required by the school for students enrolled in credit courses offered by the school."

One of the state rules applicable to digital learning has students develop digital portfolios as part of the state's ICT (information and communication technologies) literacy requirements, which are designed to help meet the NCLB goal of students being technology-literate by the end of 8<sup>th</sup> grade. Although schools have discretion over the review and dissemination of the digital portfolios, many schools are implementing online applications to use blended learning environments for student-teacher and student-student interaction related to the review and evaluation of the student portfolios.<sup>102</sup> Several districts are implementing open source eportfolio solutions using Sakai OSP and Moodle Mahara.<sup>103</sup>

<sup>100</sup> Community College System of New Hampshire news release; retrieved August 20, 2009, <http://www.ccsnh.edu/news/estart.html>

<sup>101</sup> Section 306.22 of Rules Ed Chapter 300; retrieved July 15, 2009, from <http://www.gencourt.state.nh.us/rules/ed300.html>

<sup>102</sup> Personal communication with Cathy Higgins, NH Department of Education, May 27 and August 20, 2009 and state rules; retrieved July 15, 2009, <http://www.gencourt.state.nh.us/rules/ed300.html>

<sup>103</sup> New Hampshire Educators Online; retrieved August 20, 2009, <http://nheon.org/oet/nclb/ReallocationApr2009/index.htm>

NEW JERSEY	
<b>State virtual school</b>	No
<b>Other statewide programs</b>	No
<b>Other online programs</b>	43 high schools use online courses and services as members of the Virtual High School Global Consortium; New Jersey Virtual School is not state-led but is an online program of an LEA
<b>State-level policy</b>	No

## New Jersey

New Jersey has no state-led or statewide online programs. The current statute for charter schools has geographic limits to the community of students they serve and requires a 90% enrollment in contiguous districts.<sup>104</sup> Some school districts contract with providers and 43 high schools are members of the Virtual High School Global Consortium, up from only 23 schools the previous year. The Educational Technology Plan for New Jersey, a report from the New Jersey Department of Education and published by the State Board in December 2007, notes that the Department of Education will provide research and policy support for the development and use of online courses and virtual schools, but does not make any additional references to online learning initiatives in the state.<sup>105</sup>

The New Jersey Department of Education (NJDOE) is in the process of revising its Core Curriculum Content Standards for 2009 (six areas approved as of August 2009) that will reflect stronger integration of technology in all core content areas.<sup>106</sup> As part of New Jersey's Secondary Education Transformation Initiative, the NJDOE is collaborating with the New Jersey Education Association and other organizations to develop state policies for online learning as a preliminary step towards creating a state infrastructure to facilitate online learning.<sup>107</sup> New Jersey is a member of the Partnership for 21<sup>st</sup> Century Skills initiative and is committed to increasing student achievement using 21<sup>st</sup> century technologies.

The NJ DOE does approve supplemental education services (SES) providers, which may include online learning options for students.<sup>108</sup>

Monmouth Ocean Educational Service Commission (ESC) has legal ownership of the "New Jersey Virtual School" name and offers online classes, but is not a virtual school run by the state.

<sup>104</sup> Correspondence with the New Jersey Department of Education and Sue Sullivan, July 25, 2008

<sup>105</sup> New Jersey Department of Education website; retrieved July 15, 2009, [http://www.state.nj.us/education/techno/state\\_plan.pdf](http://www.state.nj.us/education/techno/state_plan.pdf)

<sup>106</sup> New Jersey Department of Education website; retrieved August 20, 2009, <http://www.nj.gov/education/aps/>

<sup>107</sup> Correspondence with the New Jersey Department of Education and Sue Sullivan, July 25, 2008

<sup>108</sup> New Jersey approved SES list; retrieved July 13, 2009, <http://www.state.nj.us/education/title1/program/ss/providers/apprv-0910/index.html>

## New York

New York does not have either a state-led or statewide full-time online program, and there is no state-level policy for online learning. A comprehensive state educational technology plan is in development that includes planning on K-12 online learning.<sup>109</sup> Teachers, school-related professionals and other interested stakeholders were invited to fill out a survey through July 31, 2009.<sup>110</sup> Local education agencies, including school districts or Boards of Cooperative Educational Services (BOCES) may choose to create and offer online courses for students under the guidance and supervision of their boards. Increasingly, school districts are licensing online courses from Apex Learning, Aventa Learning and Right Reason Technologies for credit recovery or online AP offerings. Wayne-Finger Lakes BOCES has created Project Accelerate and AccelerateU, which provide online courses for students and professional development and instructional support for teachers. Through agreement with other BOCES, the online courses have been available to students and teachers from other regions. Student courses are now funded by an enrollment fee paid by districts and by course fees. Districts who meet certain state requirements then receive aid back from the state in the following fiscal year, ranging from 50-75% of the amount paid.

Nassau BOCES has a number of online course initiatives including a Distance Learning Network offering AP, credit recovery and foreign languages courses and self-paced online teacher professional development and instructional support modules. In collaboration with Suffolk BOCES, Nassau BOCES secured a Title II D grant to expand their online teacher professional development offerings.

New York has caps and growth restrictions on charter schools; the current cap is 200 schools and additional restrictions are being considered in the 2009-10 legislature including one that would explicitly exclude for-profit corporate entities from applying to establish a charter school<sup>111</sup> and another that would impose a two-year moratorium on new charter schools.<sup>112</sup> Full-time online charter schools are prohibited by the 1998 New York Charter School Act<sup>113</sup> because the state has interpreted the language prohibiting multiple locations for charter schools as applying to online charter schools.

	<b>NEW YORK</b>
<b>State virtual school</b>	No
<b>Other statewide programs</b>	No
<b>Other significant online programs</b>	AccelerateU provides courses for partner districts and BOCES; charter school cap and past charter denials currently block online charters
<b>State-level policy</b>	No

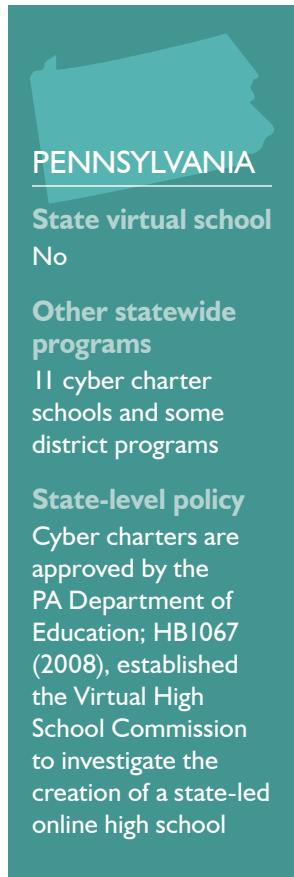
<sup>109</sup> New York Statewide Educational Technology Plan; retrieved July 28, 2009, <http://www.emsc.nysesd.gov/edtech/>

<sup>110</sup> SURVEY: State Ed wants your input on educational technology; retrieved July 28, 2009, [http://www.nysut.org/cps/rde/xchg/nysut/hs.xsl/k12\\_13134.htm](http://www.nysut.org/cps/rde/xchg/nysut/hs.xsl/k12_13134.htm)

<sup>111</sup> A.2335; retrieved July 28, 2009, <http://assembly.state.ny.us/leg/?bn=A02335>

<sup>112</sup> A.6447; retrieved July 28, 2009 <http://assembly.state.ny.us/leg/?bn=A06447>

<sup>113</sup> New York Charter School Act of 1998, provisions 2851 and 2853, sections b and section 3; retrieved, July 28, 2009, <http://www.nycsa.org/Legislative.html>



## Pennsylvania

Pennsylvania has 11 K-12 cyber charter schools that served 22,205 students in grades K-12 during the 2008-09 school year; they are primarily full-time.<sup>114</sup> In addition, some district-run programs provide online courses for area students, such as South Side Cyber Services, a program of the South Side Area School District.

Online charter schools in Pennsylvania are authorized by the PDE. The PDE has a system of cyber charter review in place,<sup>115</sup> which may be partly a result of previous funding controversy surrounding these schools. Pennsylvania law requires that the home district of a student forward per-pupil funding allotments to the student's school of choice. In 2001, school districts refused to pay student funds to the cyber charter schools and joined the Pennsylvania School Boards Association in filing a lawsuit that challenged the legitimacy of the cyber charter schools. The school districts lost in court; but, in response to their concerns, Act 88 (2002)<sup>116</sup> was passed. The law designated the PDE as the authorizer of any new cyber charter school and of any renewing charter of an existing cyber school. As of August 2009, the funding controversy continues as legislation (HB940) aimed at reducing payments to cyber charter schools from school districts has been introduced (but not passed).

Cyber charter school oversight is regulated by a combination of charter school law that oversees all charter schools, and regulations specific to cyber charters. The Pennsylvania System of Cyber Charter Review (PASCCR) was developed by the PDE's charter school team specifically to address cyber charter school issues. Together PASCCR, the charter school's annual report to the state, and the original charter school application to PDE explain how the school meets Pennsylvania's academic standards and assessment requirements, what technical support will be given to students, how student work will be monitored, what type of communication will be held with students and parents, and how often that communication will take place.

In July 2008, House Bill 1067 established a Virtual High School Commission to study the costs and feasibility of creating a state virtual school. This Commission must submit a report to the governor and legislative leaders no later than December 31, 2009.<sup>117</sup> Senate Bill 88<sup>118</sup>, passed in March 2009, stipulates that children of deployed active duty military parents are to retain their status as a Pennsylvania resident and therefore have a right to enroll in a Pennsylvania cyber charter school.

<sup>114</sup> Personal communication with Greg Spadafore, PA Department of Education, September 30, 2009, and the PDE web site; retrieved September 30, 2009, [http://www.pde.state.pa.us/charter\\_schools/lib/charter\\_schools/2008-09\\_Cyber\\_List\\_9-22-09\\_2.pdf](http://www.pde.state.pa.us/charter_schools/lib/charter_schools/2008-09_Cyber_List_9-22-09_2.pdf)

<sup>115</sup> Retrieved August 29, 2009, [http://www.pde.state.pa.us/charter\\_schools/lib/charter\\_schools/PASCCR.pdf](http://www.pde.state.pa.us/charter_schools/lib/charter_schools/PASCCR.pdf)

<sup>116</sup> Retrieved August 29, 2009, <http://www2.legis.state.pa.us/WU01/LI/BI/BT/2001/0/HB0004P4196.pdf>

<sup>117</sup> Retrieved August 29, 2009, Pennsylvania General Assembly, HB1067; <http://www.legis.state.pa.us/CFDOCS/Legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=2007&sessInd=0&billBody=H&billTyp=B&billNbr=1067&pn=4199>

<sup>118</sup> Retrieved August 29, 2009, Senate Bill 88; <http://www.legis.state.pa.us/CFDOCS/Legis/PN/Public/btCheck.cfm?txtType=HTM&sessYr=2009&sessInd=0&billBody=S&billTyp=B&billNbr=0088&pn=0590>

## State policies

### Funding

- Local school districts provide funding for students enrolled in cyber charter schools based on a per-pupil cost (approximately 75% of the standard per-pupil cost). The state provides a reimbursement to the sending district of approximately 30% to cover the district's fixed costs.
- A cyber charter school must "satisfy requirements for compulsory attendance," but it is up to the cyber charter school to provide "a description of how the cyber charter school will define and monitor a student's school day."

### Governance, tracking, and accountability

- All cyber charter schools are authorized by the PDE, and an annual report and quality review specific to online programs (PASCCR) are required.
- Cyber charter school students are required to take the Pennsylvania state assessment.

### Quality assurance, teaching, and curriculum

- Curricula used by public schools must be aligned with academic standards approved by the State Board of Education.
- All charter schools are required to have 75% of staff meet state certification standards. Teacher evaluations must be done by a supervisor holding a Principal Certificate or Letter of Eligibility with the PDE. There are no special provisions for online teachers, but the PASCCR includes teaching and professional development provisions.

VERMONT	
<b>State virtual school</b>	No
<b>Other statewide programs</b>	No
<b>Other significant online programs</b>	Twenty-two schools are using the Virtual High School Global Consortium
<b>State-level policy</b>	No online learning policy and no charter school law

## Vermont

Vermont has no state-led, statewide, or large district online programs. The state has distance education rules that apply to independent schools; however, only a couple of these schools exist, and they serve primarily adult learners. Twenty-two high schools (31% of high schools in the state) are using the Virtual High School Global Consortium to deliver online classes.

A 2008 report to the General Assembly by a task force of the Vermont Department of Education, *Managed Statewide Network for Distance Learning*, strongly supported the creation of a “Statewide Education Network,” a state-supported distance learning program which aims to improve equity of distribution and improved cost effectiveness of broadband services to Vermont schools, provide a platform for growth of existing and new services, and maximize use of E-Rate funds.<sup>119</sup>

In April of 2009, The State Board of Education adopted a new state education technology plan, “*Learning with 21<sup>st</sup> Century Tools*,” which includes the development of “flexible learning environments” as one of five key components of providing Vermont students with 21<sup>st</sup> Century Skills.<sup>120</sup> This document emphasizes the use of 21<sup>st</sup> century tools to bring distance learning to students throughout the state. As a result, and in anticipation of an American Recovery and Reinvestment Act-funded stimulus broadband package for the state, the Vermont Department of Education released an RFP to solicit an entity to lead and coordinate a statewide distance learning initiative to manage

the network. This entity was scheduled to be selected and to begin work in September of 2009, gathering data on educational needs, and to inform local districts of the benefits of a common, statewide network, particularly rural districts. An additional piece of this work will be to coordinate a statewide E-rate application.

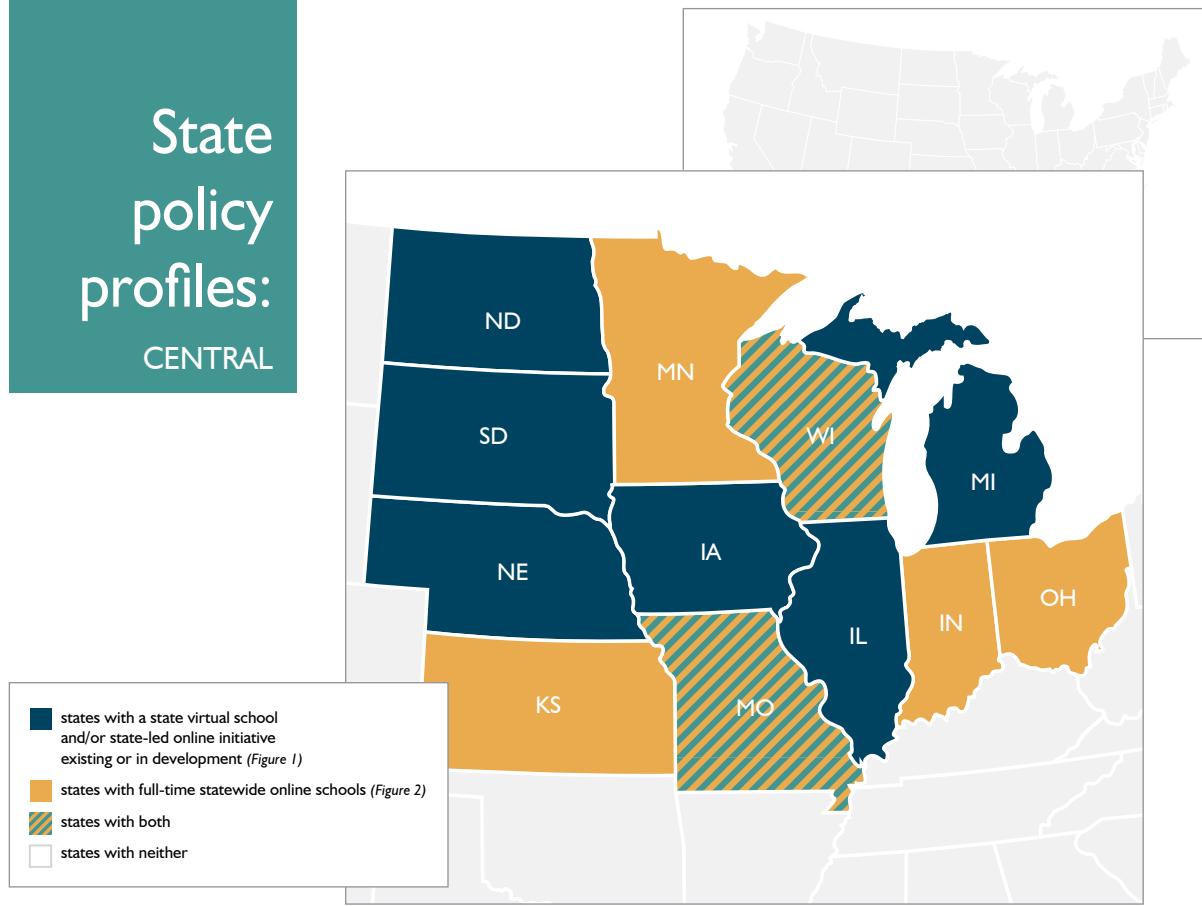
<sup>119</sup> Act 66, Section 21, Statewide Network for Distance Learning, January 1, 2008; retrieved July 9, 2009, [http://education.vermont.gov/new/pdfdoc/laws/legislative\\_reports/08/act\\_66\\_sec\\_21\\_distance\\_learning.pdf](http://education.vermont.gov/new/pdfdoc/laws/legislative_reports/08/act_66_sec_21_distance_learning.pdf)

<sup>120</sup> “*Learning with 21<sup>st</sup> Century Tools*,” Vermont State Board of Education; retrieved July 9, 2009, [http://education.vermont.gov/new/pdfdoc/pgm\\_edtech/edtech\\_plan\\_2012\\_complete.pdf](http://education.vermont.gov/new/pdfdoc/pgm_edtech/edtech_plan_2012_complete.pdf)



# State policy profiles:

## CENTRAL



### Illinois

Illinois Virtual School (formerly Illinois Virtual High School) is the state virtual school; first online learning policy passed legislature in 2009 (HB2448); one full-time online charter school and one blended learning school in Chicago.

### Indiana

Legislation in 2009 established the Virtual Pilot School and directs the Department of Education to adopt rules to govern virtual charter schools; several statewide supplemental programs; two hybrid programs blend online and face-to-face learning to meet requirements of previous legislation.

### Iowa

Two programs fit the *Keeping Pace* definition of state-led, Iowa Learning Online and the Iowa Online AP Academy; few other online programs.

### Kansas

Forty-five district programs and charter schools enroll students statewide; extensive Department of Education oversight has been increased after 2007 state audit questioned whether oversight was effective.

### Michigan

Michigan Virtual School is the state virtual school; first state to create a high school requirement that all students must have an "online learning experience" to graduate; Superintendent of Public Instruction has expanded a process that allows school districts to seek a waiver of the state's pupil accounting rules and allow full-time online students.

### Minnesota

Many virtual charter and multi-district programs are approved by the Department of Education with extensive oversight; this does not include single-district programs; laws passed in 2007 and 2009

changed some oversight provisions; online course enrollments increased by 19% between the 2007-08 and 2008-09 school years.

### Missouri

State virtual school, Missouri Virtual Instruction Program (MoVIP), enrolls both part-time and full-time, and public and private; legislation (2009) allows districts that offer virtual courses to their students to receive state school funding.

### Nebraska

Distance Education Council created by legislation in April 2006 is providing supplemental online courses across the state; implementing online curriculum statewide to all grades P-16.

### North Dakota

North Dakota Center for Distance Education (formerly North Dakota Division of Independent Study) is the state virtual school; law in 2007 required the state to set up an approval process for online courses.

### Ohio

Many online charter schools (28) with a combined course enrollment of over 27,000 students in 2008-09; online clearinghouse in development.

### South Dakota

South Dakota Virtual High School and Department of Education have established criteria for the approval of courses from other organizations as Distance Learning Providers; approximately 240 courses approved for district use.

### Wisconsin

Wisconsin Web Academy is the state virtual school; numerous district programs and online charter schools.

## Illinois

Illinois has a state virtual school, the Illinois Virtual School (IVS),<sup>121</sup> and a full-time virtual charter school serving students in Chicago, the Chicago Virtual Charter School. In addition, Chicago Public Schools has a high school where all courses are delivered in a blended learning environment, the VOISE Academy. In 2009, Illinois enacted its first online learning legislation, HB2448, that allows school districts to establish “remote educational programs,” and these enrollments may be counted towards the general state aid formula.

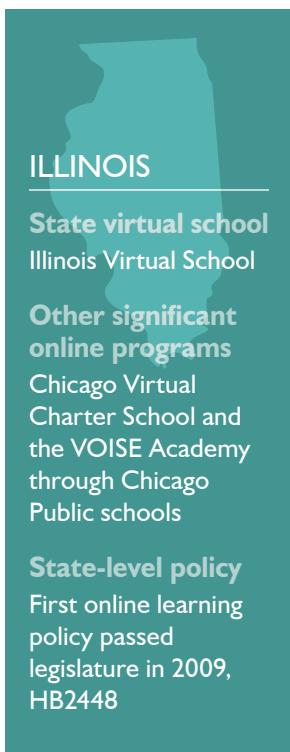
### Online programs

The state virtual school saw significant changes in late 2008 and 2009. In November 2008, the Illinois State Board of Education issued a RFSP (Request for Sealed Proposal) to administer IVS, which had been run by the Illinois Mathematics and Science Academy since 2003. The RFSP was awarded to the Peoria County Regional Office of Education, beginning with the summer 2009 term.

The Illinois Virtual School will continue to be a non-credit granting program of the Illinois State Board of Education, but it “is intended to expand the number of traditional students served, expand the grade levels to include grades 5 through 8, operate in an ‘anywhere, anytime’ mode, and serve nontraditional students (e.g., credit recovery, dual enrollment). IVS also will expand the professional development options available to Illinois teachers for certificate renewal purposes.”<sup>122</sup>

IVS serves a high proportion of students from low-income areas; in some cases, IVS provides scholarships to cover these students’ tuition. For school year 2008-09, 42% of IVS students were from low-income schools. During this same time period, IVS had 4,039 course registrations from 2,898 students in grades 6-12. Overall the enrollment level showed no increase from the previous year. However, IVS saw growth of nearly 40% during the summer term, but a decline of around 10% during the fall and spring terms. The decline is thought by former IVS administrators to be due to an increase in course fees. Funding for IVS is through a state appropriation of \$1.25 million in 2008-09, plus course enrollment fees of \$195-\$250 per enrollment.

The Chicago Virtual Charter School (CVCS), with curriculum and academic services provided by K12 Inc., had its first students in fall 2006 and in 2008-09 had 443 students. It requires students to meet at a physical location once a week in order to address a legal provision that charter schools not be home-based.<sup>123</sup> However, a June, 2009 court ruling seems to indicate that other aspects of CVCS operations are what keeps CVCS from being home-based. This ruling addresses a 2006 lawsuit filed by the Chicago Teachers Union claiming that CVCS was not a legal charter school because Illinois charter school law indicates that charter schools may not be home-based. The lawsuit also claimed that the school was not meeting the requirements of state law with respect to student supervision. On June 16, 2009, Judge Daniel Riley of the Circuit Court of Cook County dismissed the lawsuit. In his ruling<sup>124</sup>, Judge Riley found that CVCS was not home-based.



<sup>121</sup> Prior to the summer 2009 term, the program was known as the Illinois Virtual High School.

<sup>122</sup> Page 4 Request for Sealed Proposal (RFSP): Administration of the Illinois Virtual School (IVS), published November 25, 2009 on Illinois Procurement Bulletin, <http://www.purchase.state.il.us>, reference number 22016075

<sup>123</sup> Illinois charter school law, 105 ILCS 5/27A5; retrieved June 30, 2009, <http://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=010500050K27A-5>

<sup>124</sup> A key portion of the ruling states, “Homeschooling is a well-known and established means of education. While the form of homeschooleds may vary, the underlying substance of the education is decided by a student’s parents. Homeschooleds do not have to teach according to the Illinois State Board of Education’s mandated curriculum, nor are the students required to take standardized tests to meet the State’s requirements for basic skills improvement. CVCS, however, is required to teach according to the ISBE curriculum, CVCS students must meet the State’s requirements of the No Child Left Behind Act, CVCS is subject to fiscal oversight by ISBE and the Chicago Board of Education. And, unlike homeschooled students, CVCS students are graded by certified teachers.”

In addition, he found as a charter school, CVCS was not required to meet the definitions of direct supervision specified in Illinois school code. Instead the standard for CVCS is specified in the charter issued by the school district.

The VOISE (Virtual Opportunities Inside a School Environment) Academy is a new Chicago Public School (CPS) high school which served 149 freshman during the 2008-09 school year. VOISE is a CPS performance school created under the CPS Renaissance 2010 initiative. The school blends face-to-face instruction with a fully online curriculum. Many students entered with 3<sup>rd</sup> to 5<sup>th</sup> grade reading and math level but all students advanced at least one year in reading level, with many students advancing more than one grade level. 75% of the students were on track to graduate on time at the end of the first year.<sup>125</sup> VOISE will expand to serve students in grades 9 and 10 during the 2009-10 school year with all but two of the current students planning to return. VOISE expects to serve 300 students next year and a total of 600 students in grades 9-12 when it reaches capacity in the 2011-12 school year.

## State policies

The remote educational programs established under HB2448<sup>126</sup> have to meet a variety of quality control provisions in order to qualify for state aid:

- Schools must have “criteria for determining that a remote educational program will best serve a student’s individual learning needs.”
- Students with Individual Education Plans (IEPs) must “receive prior approval from the student’s individualized education program team.”
- The school must determine “that the remote educational program’s curriculum is aligned to State learning standards and that the program offers instruction and educational experiences consistent with those given to students at the same grade level in the district.”
- Teachers must meet state certification and federal highly qualified requirements. In addition they must “have responsibility for all of the following elements of the program: planning instruction, diagnosing learning needs, prescribing content delivery through class activities, assessing learning, reporting outcomes to administrators and parents and guardians, and evaluating the effects of instruction.”
- Each student must have an approved remote education plan that includes specific achievement goals for the student; a description of all assessments that will be used to measure student progress; a description of the progress reports that will be provided to the school district; expectations, processes, and schedules for interaction between a teacher and student; an adult “who will provide direct supervision of the program” and “may only engage in non-teaching duties not requiring instructional judgment or evaluation of a student;” and “a school district administrator who will oversee the remote educational program.”

Previously schools could not count online courses towards general state aid unless the student took the course while at school. This law allows for school districts to begin establishing their own full-time or supplemental online programs, either by developing their own program or purchasing services from a commercial provider. It should be noted that HB2448 as well as previous limitations on online learning do not apply to charter schools. Charter schools are governed by their own set of regulations. However, HB2448 does not pave the way for multi-district schools that are fully online, because it states, “A student may participate in the program only after the school district... determine(s) that a remote educational program will best serve the student’s individual learning needs.” This language, and the fact that charter schools must be “non-home-based” and that students are not free to choose to enroll across districts,<sup>127</sup> is likely to limit the number of multi-district online schools.

<sup>125</sup> Personal communication with Dr. Sandi Atols, Manager of Distance Learning, Chicago Public Schools, July 21, 2009

<sup>126</sup> HB2448; retrieved July 20, 2009, <http://www.ilga.gov/legislation/billstatus.asp?DocNum=2448&GAID=10&GA=96&DocTypeID=HB&LegID=44612&SessionID=76>

<sup>127</sup> Center for Education Reform; retrieved July 27, 2009, [http://www.edreform.com/templates/dsp\\_cLaw.cfm?stateID=25&altCol=2](http://www.edreform.com/templates/dsp_cLaw.cfm?stateID=25&altCol=2)

## Indiana

Indiana has a new statewide virtual charter school pilot, Virtual Pilot School (VPS), several statewide supplemental programs, a hybrid charter school program and some district programs. In 2009 Indiana Code 20-24-7-13<sup>128</sup> established the Virtual Pilot School and directs the Indiana Department of Education (IDOE) to adopt rules to govern virtual charter schools. This law builds on a previous online charter school restriction and multiple efforts to collect information on the status of virtual learning in 2008.

In 2005, legislation was passed that allowed charter schools to provide online courses. Afterwards, one of the charter authorizers, Ball State University, generated guidelines for authorizing virtual charters that were finalized in August 2006. Two charter schools were authorized to begin operations in fall 2007, but the legislature chose not to fund virtual charters, defined as “any entity that provides for the delivery of more than fifty percent (50%) of instruction to students through virtual distance learning, online technologies, or computer-based instruction,” for the 2007-09 biennium.<sup>129</sup>

In response to the law, the Hoosier Academies opened two hybrid virtual charter campuses in fall 2008. They met the requirement that more than 50% of the instruction in charter schools be delivered in a face-to-face setting by implementing a program that requires attendance at the physical location two days out of the week and providing online or other instruction the remainder of the school week.<sup>130</sup>

The 2009 law directs the IDOE to establish a pilot program and to provide funding for a statewide total of up to 200 students attending virtual charter schools in the school year ending in 2010 and 500 students attending virtual charter schools in the school year ending in 2011. The resulting Virtual Pilot School will open to grades 1-5 in fall 2009, utilizing the same curriculum and back office systems as the Hoosier Academies, but will be a separately funded entity. The Hoosier Academies will continue to operate as a hybrid charter school under the requirements of its charter authorization. Funding the VPS represents a shift from earlier policy. From 2007-09, legislation denied funding to virtual charter schools that offered more than 50% of instruction online. That legislation expired in June 2009, and virtual charters are now governed by Indiana Code 20-24-7-13.

## Online programs

In addition to the VPS and Hoosier Academies, there are several other online programs in Indiana that are primarily supplemental. The Indiana Virtual Academy is an initiative of the Ripley County Community Foundation to provide virtual learning opportunities for the four Ripley County School Corporations and the County Career Center, and now serves online students across the state.<sup>131</sup>



**INDIANA**

**State virtual school**  
No

**Other statewide programs**  
Virtual Pilot School; several supplemental programs including Indiana Virtual Academy, Indiana Online Academy

**Other significant online programs**  
Hoosier Academies is a hybrid charter program; some district programs including Indianapolis Public Schools

**State-level policy**  
Indiana code established Virtual Pilot School and directs the Department of Education to adopt rules to govern virtual charter schools

<sup>128</sup> Indiana education code; retrieved September 9, 2009, <http://www.in.gov/legislative/ic/code/title20/ar24/ch7.html>

<sup>129</sup> Indiana HB1001; retrieved September 14, 2009, <http://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=010500050K27A-5>

<sup>130</sup> Blending Learning: The Convergence of Online and Face-to-Face Education, NACOL, 2008, [http://www.nacol.org/resources/promising\\_practices.php](http://www.nacol.org/resources/promising_practices.php)

<sup>131</sup> Indiana Virtual Academy; retrieved September 2, 2009, <http://www.indva.org/>

Indiana Virtual Academy is a member of a broader consortium of Indiana online programs (the Indiana Virtual Learning Consortium) that also includes the Indiana Online Academy, the Indiana University High School, Ivy Tech Community College, and the Indiana Academy for Science, Mathematics, and Humanities (a program of Ball State University). The Indiana Online Academy is a supplemental program of the Central Indiana Educational Service Center in Indianapolis. The Indiana Academy for Science, Mathematics and Humanities is an accredited residential high school with an online outreach program offering online courses in Advanced Placement and other topics.<sup>132</sup> Indianapolis Public Schools offers an online program, and the Indiana University High School is a non-public, non-accredited diploma-granting program providing online courses.

## State policies

In addition to funding VPS, IC 20-24-7-13 includes the following provisions:<sup>133</sup>

- “At least seventy-five percent (75%) of the students enrolled in virtual charter schools under this section must have been included in the ADM count for the previous school year.”
- Provides that the funding amount is the virtual charter school’s ADM multiplied by 80 percent of the statewide average state tuition support.
- Requires the IDEOE to adopt rules to govern the operation of virtual charter schools.

The state collected information on the status of virtual learning through several mechanisms in 2008. The Indiana General Assembly established an interim study committee on K-12 virtual learning authorized by P.L.140-2008, SECTION 10<sup>134</sup>. The committee reported to the General Assembly, the State Board of Education, and the Department of Education in November 2008. Their recommendations include the following:

- All online instructional staff must be appropriately certified in the subject areas they teach; all courses must meet or exceed Indiana academic standards.
- The Indiana Statewide Testing for Educational Progress (ISTEP) must be administered to students participating in online instruction in proctored settings.
- A full-time student enrolled in a virtual school should be included in the average daily membership of the school corporation or charter school in which the student is enrolled.
- The State Board of Education require each student to complete at least one course through virtual distance learning, online technologies or computer-based instruction to be considered for high school graduation under IC 20-32-4-1 (graduation requirements).<sup>135</sup>

The Indiana Department of Education commissioned the “2009 Survey of Virtual Learning in Indiana,” conducted by the Center for Evaluation and Education Policy (CEEP) at the Indiana University School of Education, “to determine the extent and nature of e-learning systems and courses used in Indiana’s elementary, middle, and high schools during the 2007-08 school year.” According to the survey, 60% of respondents said they are offering or may offer online courses; but just half of the respondents indicated their school would pay for virtual instruction and cited instructional cost as a barrier to offering more online courses.<sup>136</sup> Concerns most often cited include cost, course quality and academic integrity. Fifty-eight percent (58%) of respondents oppose a requirement that all high school students complete a course online.

<sup>132</sup> Indiana Academy for Science, Mathematics and Humanities; retrieved September 2, 2009, <http://www.bsu.edu/academy/distance/>

<sup>133</sup> The announcement of the VPS; retrieved September 2, 2009, [http://www.doe.in.gov/news/2009/08-August/virtual\\_charter\\_schools.html](http://www.doe.in.gov/news/2009/08-August/virtual_charter_schools.html); text of bill; retrieved September 2, 2009, <http://www.in.gov/legislative/bills/1092/PDF/HE/HE1001.1.pdf>

<sup>134</sup> Indiana General Assembly, HB1246, January 2008; retrieved September 9, 2009, <http://www.in.gov/legislative/bills/2008/PDF/HE/HE1246.1.pdf>

<sup>135</sup> Final Report of the Interim Study Committee on Education Matters, November 18, 2008; retrieved September 2, 2009, <http://www.state.in.us/legislative/interim/committees/reports/ICEMBB1.pdf>

<sup>136</sup> Survey of Virtual Learning in Indiana, July 24, 2009; retrieved September 2, 2009, [http://ceep.indiana.edu/projects/PDF/IVLC\\_Final\\_Report.pdf](http://ceep.indiana.edu/projects/PDF/IVLC_Final_Report.pdf)

## Iowa

Iowa has two programs that fit the *Keeping Pace* definition of a state virtual school. Iowa Learning Online, which offers a variety of Internet, face-to-face video-based, and blended courses, is a supplemental program of the Iowa Department of Education.<sup>137</sup> The second program is the Iowa Online AP Academy.<sup>138</sup> There is little state policy activity. A weighted funding provision was passed for the 2008-09 school year that will provide additional funding for schools offering distance courses to other Iowa schools through the use of the Iowa Communication Network. Iowa's charter school law is considered the second weakest in the country by the Center for Education Reform,<sup>139</sup> which at least partially explains the lack of full-time online schools.

### Online programs

Iowa Learning Online (ILO) is a supplemental program started in summer 2004 offering courses at the 9-12 grade level (students grades 6-12), with 414 students and 693 course enrollments in 2008-09. ILO offers nine courses with set start/end dates both synchronous and asynchronous. Some of the program's courses in science and math are offered via the statewide video-based Iowa Communication Network. Additional courses are offered by participating Iowa school districts, with ILO providing support for promotion, registration, and any associated Iowa Communications Network fees. A new initiative in 2009-10 is the development of "replacement units" for use with the struggling learner. The program received \$800,000 in funding for the year from E-rate funds. ILO had its first full-time director in 2008 with a mandate from the Iowa Department of Education (IDOE) to integrate the activities of ILO into the daily activities of the IDOE.

Iowa Online AP Academy (IOAPA) offers AP courses through a contract with Apex Learning, as well as professional development for teachers. The AP Academy was initially funded in 2001 with a \$1.6 million technology grant from the Iowa Department of Education, and additional funding of \$1.4 million has been awarded to the program by the U.S. Department of Education to extend the program through 2010. Kirkwood High School Distance Learning (KHSDL) is a program of Kirkwood Community College and works with school districts across Iowa to offer online transfer credit courses largely for students looking for credit recovery opportunities.

An initial technology grant of \$1.6 million was awarded to the Belin-Blank Center in 2001 by the Iowa Department of Education to aid in increasing student participation in AP courses and exams in Iowa high schools. The U.S. Department of Education (U.S. DOE) awarded the Iowa Online Advanced Placement Academy at the University of Iowa's Belin-Blank Center \$3.49 million in grant extensions to continue and expand this program through 2006. An additional \$1.4 million was awarded to the Belin-Blank Center by the U.S. DOE to help maintain IOAPA support for rural Iowa schools through 2010.



#### **State virtual school**

Iowa Learning Online and the Iowa Online AP Academy

#### **Other statewide programs**

Kirkwood High School Distance Learning, a program of Kirkwood Community College, focuses on providing credit recovery courses and adult diploma options for students across the state

#### **Other significant online programs**

No

#### **State-level policy**

I.C.A. 257.11 allows a school district to establish a regional academy, which may include a virtual academy

<sup>137</sup> Iowa Learning Online; retrieved July 29, 2009, <http://www.iowalearningonline.org/>

<sup>138</sup> Iowa Online Advanced Placement Academy (IOAPA); retrieved July 29, 2009, <http://www.iowaapacademy.org/>

<sup>139</sup> Center for Education Reform; retrieved August 12, 2009, [http://www.edreform.com/templates/dsp\\_cLaw.cfm?stateID=37&altCol=2](http://www.edreform.com/templates/dsp_cLaw.cfm?stateID=37&altCol=2)



## Kansas

The Kansas State Department of Education (KSDE) has had a comprehensive set of policies for online schools, including extensive reporting, for several years. However, a state audit released in April 2007<sup>140</sup> questioned whether the Department's policies were being carried out appropriately. A law passed in 2008, SB669 (the Virtual School Act), increases supervision and regulation of all virtual schools by the department, and changes funding of online students.

### Online programs

The state audit and KSDE website lists 45 online programs in Kansas, divided into several types: charter schools, programs within a building, programs within a district, and buildings within a district.<sup>141</sup> KSDE reports 5,399 students using online programs in 2008-09. Grade levels served range from some programs serving K-12 and others having only high school or elementary level students.

### State policies

Information and quotes in this section are based on SB669, a legislative brief and documents available on the Kansas Department of Education website, including an extensive explanation of Virtual Education Requirements.<sup>142</sup> Specific requirements are detailed below.

The law defines a virtual school as "any school or educational program that: (1) is offered for credit; (2) uses distance-learning technologies which predominantly use Internet-based methods to deliver instruction; (3) involves instruction that occurs asynchronously with the teacher and pupil in separate locations; (4) requires the pupil to make academic progress toward the next grade level and matriculation from kindergarten through high school graduation; (5) requires the pupil to demonstrate competence in subject matter for each class or subject in which the pupil is enrolled as part of the virtual school; and (6) requires age-appropriate pupils to complete state assessment tests."<sup>143</sup> It establishes a new method of counting virtual student enrollment based on census date attendance within specific calendar timeframes, and states virtual "attendance may be shown by a pupil's on-line activity or entries in the pupil's virtual school journal or log of activities."

KSDE requires that online programs be registered in order to claim FTE funding. Registration and claiming funding requires a desktop audit and an annual report from each program. In addition, the state has published extensive guidance and rules for online programs. Requirements include site visits, personnel and program requirements. The state also mandates that a team of at least two people evaluate each online program to ensure that guidelines have been followed.

<sup>140</sup> School District Performance Audit Report, K-12 Education: Reviewing Issues Related to Virtual Schools, April 2007; retrieved August 20, 2009, <http://www.kasb.org/legis/2007/07paVirtualSchools.pdf>

<sup>141</sup> Approved Virtual Education 2009-2010; retrieved August 20, 2009, from <http://www.ksde.org/Default.aspx?tabid=455>

<sup>142</sup> Kansas State Department of Education; retrieved August 20, 2009, <http://www.ksde.org/LinkClick.aspx?fileticket=vQyfSb4K6ig%3d&tabid=455> and Kansas SB 669; retrieved August 20, 2009, <http://www.kslegislature.org/bills/2008/669.pdf> and Legislative brief for SB669, retrieved, August 20, 2009, [http://skyways.lib.ks.us/ksleg/KLRD/2008ConfCommRpts/ccb669\\_001\\_23.pdf](http://skyways.lib.ks.us/ksleg/KLRD/2008ConfCommRpts/ccb669_001_23.pdf)

<sup>143</sup> Kansas SB669; retrieved August 20, 2009, <http://www.kslegislature.org/bills/2008/669.pdf>

## Funding

Online students receive FTE funding, with the following requirements:

- SB669 sets a rate for online student funding of 105% of the base rate in the state, addressing the inequity that previously existed with online students receiving different levels of funding. “In addition, virtual schools would receive a non-proficient weighting of 25 percent multiplied by the FTE enrollment of non-proficient pupils in an approved at-risk program....”
- The law encourages Advanced Placement enrollment by funding an additional 8% of the BSAPP paid to virtual schools for each pupil enrolled in at least one Advanced Placement course, with some restrictions.
- Online programs must maintain a financial account separate from the rest of the district, addressing concerns about financial issues that were raised in the audit.
- FTE can only be claimed for students who are enrolled in a program that is registered with KSDE and has completed the online requirements application.
- Verifying “enrolled and attending” students in a virtual course is done through an Academic Activity Log or Documentation of Virtual/Online Activity.<sup>144</sup>
- Only students who reside in Kansas are eligible for FTE funding, with some exceptions for out-of-state students.

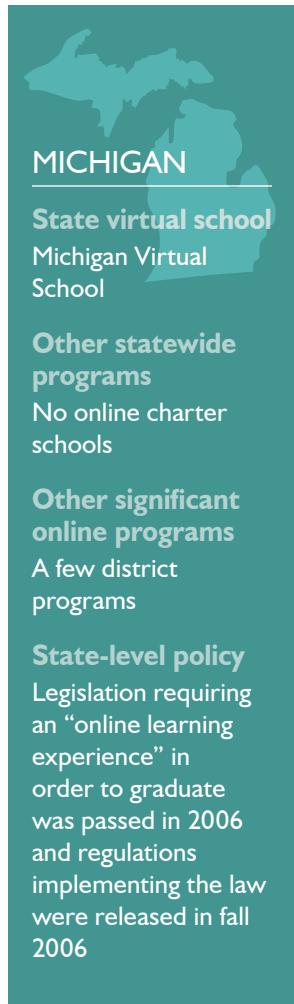
## Governance, tracking, and accountability

- Online programs are required to provide annual reports and desktop audits.
- The KSDE accredits schools and districts. If an online program is a program within the district, it must be integrated into the district Quality Performance Accreditation (QPA)/NCA plan.

## Quality assurance, teaching, and curriculum

- “Course delivery must be based on ‘accepted’ good practice for online learning. This may include but is not limited to clearly communicating course expectations, grading policies, required/supplemental materials, etc.; establishing timelines; and regular communications with students and parents.”
- School districts are required to “provide adequate training to teachers who teach in virtual schools or virtual programs,” and provide an annual report of that training.
- “Opportunities for students to participate in group activities must be provided. These may include some face-to-face activities such as (but not limited to): field trips, study sessions, additional orientation/training assistance, open houses, conferences, end-of-year celebrations, use of parent resource center, and teacher face-to-face instruction for labs or virtual teaming opportunities.”
- “Online communication opportunities must be provided enabling students to share with others; i.e. discussion boards, chats, virtual classrooms, e-mails, group online projects.”
- Students/families must be provided a response within 24 hours during school days.
- “A person or contracted entity must be designated to implement and evaluate training provided to all staff, students and parents in the use of the online program.”
- An assessment coordinator must be designated who will ensure that students 18 and under take all required state assessments for their grade level.
- All data is reported as part of the state’s QPA requirements, the federal NCLB requirements (e.g. Adequate Yearly Progress), and NCA requirements, if appropriate.
- All state assessments are proctored by a licensed educator.

<sup>144</sup> Counting Kids Handbook, KSDE; retrieved August 20, 2009, <http://www.ksde.org/LinkClick.aspx?fileticket=TcMBPuhMWIE%3d&tabid=455&mid=6620&forcedownload=true>



## Michigan

Michigan is at the forefront of K-12 online education, led by the Michigan Virtual School (MVS) and the Michigan Legislature, which in 2006 passed a requirement that students have an “online learning experience” before graduating.<sup>145</sup> At least two other states have followed Michigan’s example in requiring online learning as a graduation component.

In 2006 the Michigan Department of Education (MDE) released guidelines for the online learning experience, which require students to: 1) take an online course, or 2) participate in an online experience, or 3) participate in online experiences incorporated into each of the required credit courses of the Michigan Merit Curriculum.<sup>146</sup> In addition to defining an online course, the guidelines suggest options for the “online learning experience” and state that a “meaningful online experience requires a minimum accumulation of twenty hours... for students to become proficient in using technology tools to virtually explore content.”

In 2008 Michigan’s Superintendent of Public Instruction implemented a process that allows school districts to seek a waiver of the state’s pupil accounting rules to allow eligible full-time students to take all of their coursework online. Twenty-one local and intermediate school districts have been approved to implement this “seat-time waiver,” and MVS is working with approved districts to expand the use of online resources to address specific student and school priorities. One of the approved districts has been authorized to include other districts as partners in their waiver provided that the approved MDE policies and procedures are followed.

In response to the requirement for an online learning experience, MVS collaborated with the MDE to develop an online course, Career

Forward™, which helps Michigan students understand how the new global economy will impact their career opportunities. The first version of the course was funded through a grant from Microsoft’s Partners in Learning program, and was piloted in spring 2007. MVS subsequently developed a web version of the course that is not dependent on a learning management system, along with a significant package of teacher instructional guides and resources. Although initially targeted for Michigan students seeking to fulfill the online graduation requirement, MVS and Microsoft worked together to promote and deliver CareerForward at no cost to all fifty states in cooperation with the National Repository of Online Courses (NROC) in 2008, and plans are under development to deliver an international version of the course.

The online learning requirement has increased demand for teachers experienced in online instruction, and affords an opportunity to expand Michigan LearnPort®, an existing collaboration between the MDE and MVU (the parent organization of MVS). MVU is required by the Michigan Legislature to offer at least 200 hours of online professional development for classroom teachers free of charge. The LearnPort catalog contains over 280 online courses or professional development modules, and the program is currently serving more than 45,000 user accounts. Through a partnership with MDE’s Office of Special Education Services, Michigan LearnPort is supporting a new systematic integrated approach to improvement by providing statewide delivery of online courses that address an array of special education services, populations and issues.

<sup>145</sup> Public Acts 123 and 124 of 2006; retrieved July 8, 2009, from [http://www.michigan.gov/documents/PA\\_123\\_and\\_124\\_159920\\_7.pdf](http://www.michigan.gov/documents/PA_123_and_124_159920_7.pdf)

<sup>146</sup> [http://www.michigan.gov/documents/mde/Online10.06\\_final\\_175750\\_7.pdf](http://www.michigan.gov/documents/mde/Online10.06_final_175750_7.pdf)

Michigan Virtual School is among the larger state virtual schools with more than 16,000 course enrollments in 2008-09. MVS is a private, nonprofit entity funded by annual legislative appropriations, course tuition fees and grants. The legislative appropriation for 2008-09 was \$2.5 million in a total budget of \$5.5 million.

District-level activity is also occurring in Michigan. For example, GenNET Online Learning is a project of the Genesee ISD, with support from the Michigan Department of Education, providing schools with access to self-directed online courses from a list of selected providers.<sup>147</sup> Some teacher-facilitated courses are also available, including courses from Michigan Virtual School. The project is funded through course fees and grant awards.

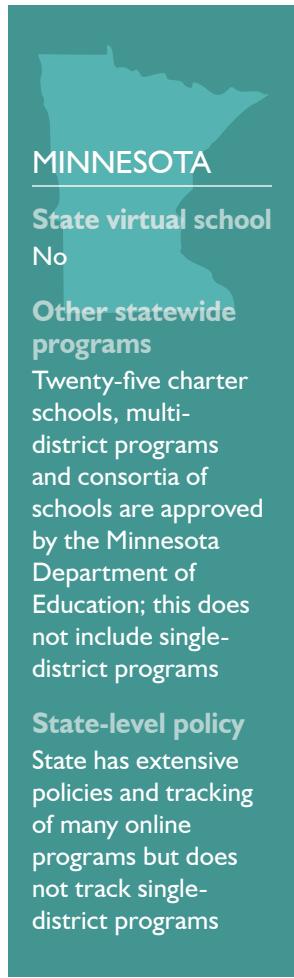
In 2009 the MVS and the St. Clair County Regional Educational Service Agency (RESA) implemented a pilot online high school program targeting students who are not regularly attending school for a variety of reasons, including expulsion, dropout or long-term suspension. This program is designed to help reduce the state's dropout rate and increase high school graduation and GED program completion rates.

In summer 2007, the MVS launched the Michigan Virtual Science and Math Camps<sup>148</sup> designed for middle school students. These two-week online enrichment programs help students strengthen study habits and their understanding of essential mathematics and science concepts. The MVS also offers after-school math and science enrichment programs for middle school students, and this skill-building initiative has been extended to the elementary level through an eight-week after-school program for 4<sup>th</sup> and 5<sup>th</sup> grade students focusing on the concepts that are key to achieving success in Algebra courses.

In 2008 MVU and the Michigan Mathematics and Science Centers Network formally established a partnership to create a Virtual STEM Academy to expand opportunities in the areas of science, technology, engineering and mathematics. The STEM Academy is designed to serve as a statewide online learning portal that brings high quality specialized math, science, technology and engineering courses, teacher professional development modules and interactive online resources to K-12 students and teachers. The MVS became the first virtual school in the U.S. to offer an online Chinese (Mandarin) language course for high school students in 2006. The Confucius Institute at MSU (CI-MSU), MVS and the International Baccalaureate (IB) Organization<sup>®</sup> are working to develop a comprehensive two-year Online Diploma Programme Mandarin Chinese course and pre-AP and AP Mandarin Chinese courses for high school students. This fall MVU, the CI-MSU and the IB Diploma Programme will launch a pilot Mandarin Chinese online course involving 250 students enrolled in IB World Schools.

<sup>147</sup> GenNET; retrieved August 21, 2009, [http://gennetonline.geneseeisd.org/course\\_providers.htm](http://gennetonline.geneseeisd.org/course_providers.htm)

<sup>148</sup> Michigan Virtual School; retrieved August 21, 2009, <http://www.mivhs.org/camps>



## Minnesota

Minnesota has online charter schools, multi-district programs, intermediate districts, and organizations of two or more districts operating under a joint powers agreement. According to the Minnesota Department of Education (MDE), many school districts in Minnesota offer substantial online learning programs. The Omnibus K-12 Education Act of 2003 (amended in 2009)<sup>149</sup> sets forth a number of policies directly affecting online education. It also directs the MDE to develop and maintain a list of approved online-learning providers and a list of courses and programs that it has reviewed and certified. This certification effort by the MDE is the overarching state-level policy activity, covering most online learning programs except district-level programs that only offer online courses to students enrolled in the district's schools. As of June 2009, there were 25 certified online learning public school providers—eight consortia or intermediate districts, seven charter school programs, ten district level programs serving students statewide.<sup>150</sup> The Minnesota Department of Education reported 5,042 full-time students in 2008-09 and 4,410 supplemental course enrollments. The MDE also reported an increase in total online course enrollments from 23,722 in 2006-07 to 28,332 enrollments in 2007-08, an increase of approximately 16%.<sup>151</sup>

In 2009 the Online Learning Law (MN statute 124D.095)<sup>152</sup> was amended to:

- Define an online course syllabus as a written document available in a prescribed format that identifies the state academic standards embedded in an online course, the course content outline, required course assessments, expectations for actual teacher contact time and other student-to-teacher communications, and the academic support available to the online learning student.
- Require online learning providers of supplemental courses to make the online course syllabus available to the enrolling district for a 15-day review to determine whether the online course meets the enrolling district's graduation standards. If the enrolling district determines that the online course does not meet local standards, an explanation must be made available to the student, parent and online learning provider at which time the online provider can submit a response. The process for final determination of acceptance, and in particular which district has final say, is not specified in the legislation and has not been determined as of August 2009.
- Require that the student and the student's parent must notify the online learning provider of the student's intent to enroll in online learning within ten days of being accepted, at which time the student and the student's parent must sign a statement indicating that they have reviewed the online course or program and understand the expectations of enrolling in online learning.

<sup>149</sup> Retrieved June 29, 2009, [http://www.revisor.leg.state.mn.us/bin/getpub.php?pubtype=STAT\\_CHAP\\_SEC&year=current&section=124D.09](http://www.revisor.leg.state.mn.us/bin/getpub.php?pubtype=STAT_CHAP_SEC&year=current&section=124D.09)

<sup>150</sup> Based on document titled Certified Online Learning (OLL) Providers, Minnesota Department of Education (MDE) June 2007; retrieved June 29, 2009, from [http://education.state.mn.us/mdeprod/ideplg?ldeService=GET\\_FILE&dDocName=031616&RevisionSelectionMethod=latest&Rendition=primary](http://education.state.mn.us/mdeprod/ideplg?ldeService=GET_FILE&dDocName=031616&RevisionSelectionMethod=latest&Rendition=primary)

<sup>151</sup> Annual Report Aggregate Online Learning Certified Program Data, Minnesota Department of Education, 2007 report and 2008 report

<sup>152</sup> Minnesota statute; retrieved August 4, 2009, <https://www.revisor.leg.state.mn.us/statutes/?id=124D.095>

- Increase accountability of both the online provider and enrolling district by requiring the online provider to report or make available information on an individual student's progress and accumulated credit to the student, the student's parent, and the enrolling district in a specified manner unless the enrolling district and the online provider agree to a different form of notice and notify the commissioner.
- Require that the enrolling district designate a contact person to help facilitate and monitor the student's academic progress and accumulated credits towards graduation. There are no specifics in the legislation defining "contact person."
- Change the online learning provider approval process. Programs must give the commissioner written assurance that: (1) all courses meet state academic standards; and (2) the online learning curriculum, instruction, and assessment, expectations for actual teacher-contact time or other student-to-teacher communication, and academic support meet nationally recognized professional standards and are described as such in an online course syllabus that meets the commissioner's requirements.
- Reinstate the K-12 Online Learning Advisory Council for another three-year period (through 2013) to continue study of issues related to online learning. The law did not address the 2008 recommendations issued by the advisory council, which included creating an administrative online learning unit, assessing outcome-based measures in online programs, distinguishing between full-time and supplemental programs, and applying national standards to online programs and courses.<sup>153</sup>

Several new online learning initiatives have been launched in 2009. The Minnesota Learning Commons (MnLC), a joint project of University of Minnesota, Minnesota State Colleges and Universities and the Minnesota Department of Education,<sup>154</sup> is a statewide organization established to expand online course offerings and services, and to help K-16 students, educators, advisors and parents access quality online programs, courses, tools, and resources. The Online Learning Credit Recovery Task Force is a state-level committee formed to propose policy on providing online learning for credit recovery in conjunction with alternative learning centers that would be funded at an additional 20% beyond the normal ADM for students who meet criteria that put them at-risk for graduation. The additional funding must be earned by the student in a certified alternative learning center (ALC) or program. If online learning courses are used, there must be 20% contact time (face-to-face) with an ALC teacher, and the course must be reported through an ALC as independent study.

## Online programs

Because Minnesota law requires that online learning providers report annually to the state, the MN Department of Education (MDE) is able to provide a list of online programs on its website. Additionally, there is a searchable database of certified online learning K-12 courses and programs at <http://www.iseek.org>. MDE divides programs into several categories:

- Consortia of schools or intermediate districts: providing supplemental online classes to membership schools and students across the state
- Multi-district programs: district-level programs providing full-time education and supplemental online learning courses to students across the state

<sup>153</sup> Online Learning in Minnesota: Summary of the Work of the K-12 Online Learning Advisory Council, September 2008

<sup>154</sup> Minnesota Learning Commons; retrieved July 31, 2009, <http://www.mnlearningcommons.net>

- Charter schools: providing full-time education and supplemental online courses to students across the state
- Online learning programs serving special populations and/or school districts.

## State policies

The policies and quotes in this section are based on Minnesota Statutes 124D.095, Online Learning Option Act.<sup>155</sup>

### Funding

- Effective FY 2006, Minnesota provides general education revenue for online students. For students taking online courses from the district in which they are enrolled, funding is the same as if the students were taking all their courses in physical classrooms. For students taking supplemental online courses from outside their enrolling district, the online learning program receives basic revenue for 88% of one-twelfth of an average daily membership (ADM) per completed semester course, weighted based on grade level. The other 12% goes to the student's enrolling district and generates general education revenue unless the student's total ADM has exceeded 1.0 (1.2 for students enrolled in learning year programs). Funding for supplemental courses is generated only for students who complete the online course.
- Funding is tied to the program meeting all requirements of the law that are explained in the sections below.

### Governance, tracking, and accountability

- Minnesota annually certifies public school online learning programs. Tracking is based on student financial reporting and an annual program data report. Students register either as fully-enrolled online learning students in a comprehensive program or they access instruction as supplemental online learning students and are reported by online learning course completion files.
- A district that offers online learning classes to students enrolled in that district reports those students as enrolled in the district. No distinction is made for online learning in those cases, and these programs may not be state-certified.
- Districts must accept credit for courses from providers certified by the MDE. The law allows an enrolling district to “challenge the validity of a course offered by an online learning provider.”
- The department must review such challenges based on the certification procedures “set forth in the online learning statute.” The department may initiate its own review of the validity of an online learning course offered by an online learning provider.
- The legislation allows “an online learning student to have the same access to computer hardware and education software available in a school as all other students enrolled in the district,” and “an online learning student may participate in the extracurricular activities of the enrolling district on the same basis as other enrolled students.”
- The legislation directs the online learning provider to “assist an online learning student whose family qualifies for the education tax credit (under section 290.0674) to acquire computer hardware and educational software for online learning purposes.”

<sup>155</sup> Retrieved June 29, 2009, from [http://www.revisor.leg.state.mn.us/bin/getpub.php?pubtype=STAT\\_CHAP\\_SEC&year=current&section=124D.095](http://www.revisor.leg.state.mn.us/bin/getpub.php?pubtype=STAT_CHAP_SEC&year=current&section=124D.095)

- The student's enrolling district is responsible for ensuring that students take the Minnesota Comprehensive Assessments. If the enrolling district is the online learning provider, the online program administers annual state tests.

### **Quality assurance, teaching, and curriculum**

- "Courses and programs must be rigorous, aligned with state academic standards, and contribute to grade progressions in a single subject. Online courses must have equivalent standards or instruction, curriculum, and assessment as other [non-online] courses...."
- The MDE certification process requires that providers list courses and assure their alignment with Minnesota state academic standards.
- The legislation "requires that a [highly qualified] teacher with a Minnesota license be the person that assembles and delivers instruction to online learning students.... The instruction may include curriculum developed by persons other than a teacher with a Minnesota license."
- The legislation states that "unless the commissioner grants a waiver, a teacher providing online learning instruction must not instruct more than 40 students in any one online learning course or program."
- Actual teacher contact time or other similar communication, including frequent assessment, is an expected online learning component, and the online learning provider must "demonstrate expectations for actual teacher contact time or other student-to-teacher communication." The MDE requires that programs describe the methods and frequency of course interactivity, teacher contact, ongoing instructional assistance and assessment of student learning to comply with the law.
- In 2009, Minnesota became one of the first states to recognize in state-level policy that there are national standards for quality online programs by requiring at the time of certification that programs "meet nationally recognized standards."



## Missouri

Missouri has three major online programs. The Missouri Virtual Instruction Program (MoVIP) is the state virtual school that was created by Senate Bill 912<sup>156</sup> and House Bill 1275 in 2006. In 2008-09, MoVIP had 15,810 course enrollments, both part-time and full-time in grades K-12, an increase in the range of 25-50%. Credit earned through MoVIP courses must be recognized by all K-12 public schools in the state, but MoVIP does not grant diplomas. All 115 counties in Missouri have students participating in MoVIP, which offers 236 semester-length courses. During the summer of 2009, eMINTS (enhancing Missouri's Instructional Network Teaching Strategies; a unit of the University of Missouri System) was selected as the subcontractor for the K-12 administrative and teaching services for MoVIP.

If public, private, or homeschool students enroll in MoVIP courses as a part of their regular daily class schedules, they are eligible for state-funded seats during fall and spring semesters. Although these seats are at no cost to the students, these seats are limited by funding and are issued on a first-come, first-served basis. The legislation creating the virtual school did not establish priorities for any of the various type of students (public or non-public, elementary or secondary) served. In year one of the program, 70% of MoVIP students were public school students. In years two and three, non-public and homeschool students have come to make up the majority of MoVIP students.

### Online programs

In addition to MoVIP, the University of Missouri-Columbia High School (MU High School)<sup>157</sup> is a part of the Center for Distance and Independent Study and provides distance learning courses delivered asynchronously to nearly 16,000 students nationwide. Students can get credit for individual courses or a full diploma. Missouri State University has a program called Missouri Virtual School (MVS)<sup>158</sup> offering supplemental high school and dual credit courses emphasizing teacher interaction. A growing number of school districts are offering online programs, usually to meet student needs for courses required by the state for graduation (e.g., personal finance).

## State policies

Legislation passed in 2009 eliminated seat-time requirements for virtual education classes offered by Missouri School District allowing districts to collect state funds. Senate Bill 291 states "for purposes of calculation and distribution of funding, attendance of a student enrolled in a district virtual class will equal, upon course completion, ninety-four percent of the hours of attendance for such class delivered in the non-virtual program."<sup>159</sup> This legislation has created increased interest in virtual education.

<sup>156</sup> Missouri Senate Bill 912; retrieved September 14, 2009, <http://www.senate.mo.gov/06info/pdf-bill/tat/SB912.pdf>

<sup>157</sup> MU High School; retrieved September 14, 2009, <http://cdis.missouri.edu/high-school.aspx>

<sup>158</sup> Missouri Virtual School; retrieved September 14, 2009, <http://mvs.missouristate.edu/>

<sup>159</sup> Missouri Senate Bill 291; retrieved September 14, 2009, [http://www.senate.mo.gov/09info/BTS\\_Web/Bill.aspx?SessionType=R&BillID=683252](http://www.senate.mo.gov/09info/BTS_Web/Bill.aspx?SessionType=R&BillID=683252)

Charter schools will also receive state funding when providing virtual courses to their students. School districts and charter schools must ensure that courses purchased from outside vendors are aligned with state curriculum standards and comply with state requirements for teacher certification.

Missouri is unusual in that MoVIP is accountable for all its students taking the Missouri Assessment Program (MAP) tests. Senate Bill 912 states that MoVIP “will comply with all state laws and regulations applicable to school districts, including but not limited to the Missouri school improvement program (MSIP), adequate yearly progress (AYP), annual performance report (APR), teacher certification, and curriculum standards.” If a student fails to take the MAP test, MoVIP will place a hold on the student for all future courses so that the student cannot enroll in any other virtual courses. Public School Districts that use district funds to pay tuition for students to take MoVIP classes will be accountable for the MAP scores as well as MoVIP.

### Funding

- Missouri legislation appropriated \$5.8 million for 2008-09 and \$4.8 million for MoVIP operations in 2009-10, a decrease of 17%. In order to both continue to serve the students already enrolled in MoVIP and accommodate the demand for courses with the decrease in budget, MoVIP has temporarily limited the maximum number of courses in which a student can enroll to five instead of six. Students needing a sixth course are going to other sources, such as taking a homeschool course or finding a course at a public school. The limit is expected to go back to six when the budget is increased.
- MoVIP received state funding for approximately 12,000 course enrollments in 2009-10. Non-public school students (homeschooled and private) also have no financial cost as long as state-funded seats are available.
- Once state-funded seats are filled, non-public students may enroll at their own cost at a tuition rate of \$325 per semester in 2009-10.
- If a student enrolls in a MoVIP class, the enrolling district will receive 15% of its state funding for that class rather than the full amount. The school district has the choice as to whether to allow the student to take the online course or not, except in the instance outlined below.
- Senate Bill 64, passed in 2007, states “a parent residing in a lapsed, or poor performing school district [one with provisional or uncertified status for two years or more] may enroll their child in the Missouri virtual school if the child first enrolls in the school district of residence. The school district shall include the child’s enrollment in the virtual school in determining the district’s average daily attendance. The board of the home district shall pay to the virtual school the amount required under current law to be paid for other students enrolled in the virtual school.”<sup>160</sup>

### Quality assurance, teaching, and curriculum

- The MoVIP is subject to the same laws and regulations as regular school districts including content standards and teacher certification.

<sup>160</sup> Senate Bill 64; retrieved September 14, 2009, [http://www.senate.mo.gov/07info/BTS\\_Web/Bill.aspx?SessionType=r&BillID=136](http://www.senate.mo.gov/07info/BTS_Web/Bill.aspx?SessionType=r&BillID=136)



## Nebraska

Nebraska passed legislation in 2006<sup>161</sup> that created the groundwork for expanded distance education courses by:

- Increasing bandwidth into schools—opening the door for blended learning options in the classroom and high quality two-way interactive classes through videoconferencing and online courses.
- Shifting districts interested in distance learning from a consortium approach into an Educational Service Unit (ESU) model, which facilitates state funding and allows them to enter into contracts with providers.
- Creating a state-level Distance Education Council to, among other tasks, broker and facilitate courses, administer learning management systems, and provide assistance in instructional design and best practices.

The Distance Education Council oversees both videoconferencing and online learning in Nebraska. The Council has designated myelearning.org of Nebraska to implement an asynchronous, web-based learning management system to ensure statewide accessibility for the improvement of staff development and distance education for K-12 students. Nebraska schools exchange over 325 two-way interactive classes each semester through videoconferencing.

In June 2008, the Partnerships for Innovation (PFI), an innovative collaboration between elementary, secondary and post-secondary partners, received a state appropriation from Carl D. Perkins Career and Technical Education Act (Perkins IV) grant funding to access online curriculum from Monterey Institute for Technology and Education (MITE) and make it available statewide to all grades

P-16 for the next three years.<sup>162</sup> The content will be made available through various educational organizations in the state and in a variety of learning management systems, including myelearning.org (Angel) and ESU 13 (Moodle). Also, the Distance Education Council teamed with Instructional Design and Development experts from the University of Nebraska Extension Education and Outreach Program to co-develop an “Instructional Design for Teaching via eLearning” professional development course that prepares teachers to teach distance education classes.

## Online programs

There are a significant number of district-run programs in Nebraska, including Westside Virtual High School and Omaha Public Schools. OPS' eLearning Program was initially designed to meet the needs of credit recovery students in grades 9-12, but has evolved into a blended learning program for all students. OPS eLearning had over 7,500 unique student enrollments in 2008-09 and offers 80 different courses. OPS and other Nebraska schools are using content from NROC (Monterey Institute for Technology and Education).

<sup>161</sup> Legislative Bill 1208; retrieved September 3, 2009, [http://www.networknebraska.net/denu/FINAL\\_LB1208\\_1.pdf](http://www.networknebraska.net/denu/FINAL_LB1208_1.pdf)

<sup>162</sup> Future Force Nebraska, Partnerships for Innovation, June 16, 2008; retrieved September 3, 2009, <http://www.futureforcenebraska.org/Partnerships/> and personal communication with Mike Kozak, June 16, 2008

The University of Nebraska-Lincoln Independent Study High School, which includes some supplemental online courses in its correspondence course program, operates under Department of Education rules and regulations associated with dual credit. The Independent Study High School program currently offers approximately 100 courses and graduates 250 students each year, with over 3,000 individual students enrolled at any given time.

Nebraska also has twenty-seven high schools that offer online courses to students via the Virtual High School Global Consortium.

## State policies

Several laws, Legislative Bills 1208 (2006), LB603 (2007), and LB988 (2008), LB547 passed in 2009 provide the mechanisms for funding statewide distance learning infrastructure and provide incentives for school districts that act to upgrade distance learning technology and curriculum:

- School districts or educational service units (ESU) can receive up to \$20,000 per high school building for upgrades in high bandwidth IP network technology and two-way interactive video.<sup>163</sup>
- Incentives of up to \$1,000 for each distance learning unit can be earned by a school district or ESU based on a qualified distance learning course coordinated through the Distance Education Council. Distance Education Units (DEUs) can be earned for distance learning courses sent or received by schools.<sup>164</sup> These incentives currently place emphasis on utilizing the two-way video system heavily invested in by the state; however, it is expected that many of the courses developed in the near future will blend video and online, so asynchronous, Internet-delivered courses are also likely to receive a boost.
- LB603<sup>165</sup> (2007) clarifies and defines elementary distance education so that elementary level distance classes will qualify for the distance education incentive payments once all high school incentive programs are reimbursed.

<sup>163</sup> Nebraska state statute 79-1336; retrieved September 3, 2009, <http://www.legislature.ne.gov/laws/statutes.php?statute=s7913036000>

<sup>164</sup> Nebraska state statute 79-1337; retrieved September 3, 2009, <http://www.legislature.ne.gov/laws/statutes.php?statute=s7913037000>

<sup>165</sup> Section 9.4 of LB603; retrieved September 3, 2009, <http://uniweb.legislature.ne.gov/FloorDocs/Current/PDF/Final/LB603.pdf>

	<b>NORTH DAKOTA</b>
<b>State virtual school</b>	North Dakota Center for Distance Education
<b>Other statewide programs</b>	No
<b>Other significant online programs</b>	Some district programs
<b>State-level policy</b>	HB1491 passed in 2007 required the state to set up an approval process for online courses by July 2009; no charter school law

## North Dakota

The only significant online program in North Dakota is the North Dakota Center for Distance Education (CDE; formerly North Dakota Division of Independent Study), which offers both online and print courses that are self-paced. The Center is a state-funded, supplemental program that was started in fall 1996 and serves middle and high school students. In 2008-09 the program had 2,417 online course enrollments an increase of about 30%. Teachers are full-time and are each responsible for up to 500 students in a course, which are spread over a calendar year due to the open enrollment policy of the CDE. Districts that used to send a few students each to CDE are now beginning to partner with local colleges on dual credit courses and to utilize outside providers to create their own online programs and alternative school curricula.

The Center is funded via state appropriation and course fees. The portion of their appropriation used for online learning for 2008-09 was approximately \$350,000. Overall, approximately 15% of the CDE operating budget comes from the state. Additional funds are generated by course fees (\$168 per semester course for in-state students). Local school districts must approve enrollment of local students in CDE courses, and homeschool students must pay tuition to participate in CDE courses.

The only law related to online education in North Dakota in addition to the one that created the North Dakota Division of Independent Study,<sup>166</sup> and the law that changed the name to the Center for Distance Education, is a law passed in 2007<sup>167</sup> that required the Department of Public Instruction (DPI) to set up a process for approving online courses. The entire law has just a few relevant provisions; they do not “apply to a course provided electronically between approved schools in North Dakota.”

The relevant provisions are:

5. A “person must obtain annual approval from the superintendent of public instruction” before providing “electronic” courses.
6. ... the superintendent shall verify that:
  - a. All courses... are aligned with state content and performance standards... if standards do not exist... the course content must be sufficiently challenging for students...;
  - b. All teachers... meet or exceed the qualifications and licensure requirements placed on the teachers by the state in which the course originates; and
  - c. All students receiving a course electronically have ongoing contact time with the teachers of the course.”

<sup>166</sup> Chapter 15-19; retrieved July 28, 2009, [www.legis.nd.gov/cencode/t15c19.pdf](http://www.legis.nd.gov/cencode/t15c19.pdf)

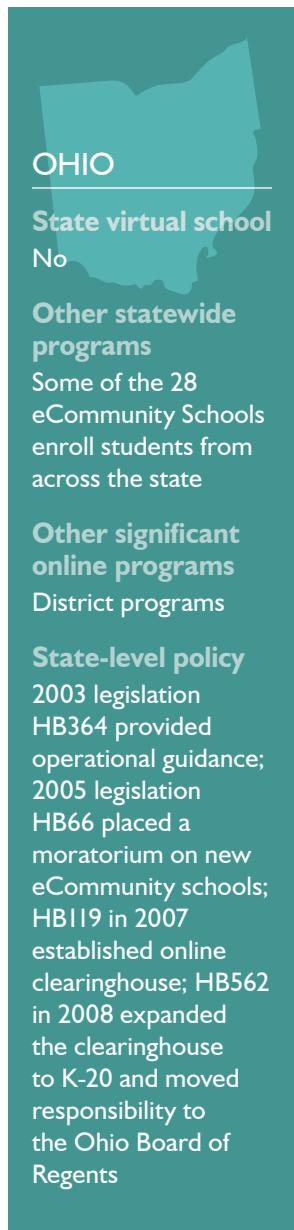
<sup>167</sup> House Bill 1491; retrieved July 28, 2009, <http://www.legis.nd.gov/assembly/60-2007/bill-text/HB1R0400.pdf>

The resulting section NDCC 15.1-21-15 allows for a process<sup>168</sup> for North Dakota schools to provide academic services through the use of out-of-state electronic course delivery providers. As of July 2009 all schools receiving out-of-state electronic course delivery must complete the Out-Of-State Electronic Course Delivery-School Application for approval by the School Approval & Accreditation Unit of the Department of Public Instruction on an annual basis. Only those out-of-state providers that have received approval may deliver their services within the state. The application asks the provider to describe for each course:

- the cost to the student, the grade level and type of course credit which will be awarded,
- a timeline for the course, including the expectation of time to be devoted to the course,
- instructor information, including if the instructor meet or exceed the state's highly qualified teacher licensure requirements from the state in which this course originates,
- if the curriculum is aligned with the North Dakota Content and Performance Standards,
- how the course is developed and evaluated to ensure quality, a description of the course delivery model(s) and student contact plan including frequency, how student work is evaluated for the course, and finally, how their progress is assessed for quality.

As of September 2009, there have been 4 applications submitted.

<sup>168</sup> North Dakota Department of Public Instruction, school and provider application forms, instructions and rubrics; retrieved September 7, 2009, <http://www.dpi.state.nd.us/approve/electronic.shtm>



## Ohio

As of August 2009, Ohio has 28 eCommunity (charter) schools, these include at least seven statewide schools.<sup>169</sup> Six eCommunity schools have closed in the past year by mutual agreement with their sponsors. Ohio eCommunity schools served approximately 27,037 students in 2008-09, representing an approximate 12.6% increase from 2007-08.<sup>170</sup> Ohio also has a number of district programs in pockets across the state.

A community school is similar to charter schools in other states. An eCommunity school is an Internet- or computer-based community school in which the enrolled students work primarily from their residences. eCommunity schools first opened for the 2000-01 school year. Legislation adopted in April 2003 provided additional guidance for their operation.<sup>171</sup> Legislation enacted in 2005 imposed a moratorium on new eCommunity schools until the General Assembly adopts standards for the schools, due to a number of concerns including:

- Fast growth of some of the eCommunity schools coupled with a lack of additional standards (beyond those captured in the 2003 legislation and general charter law).
- Low state assessment participation rates and aggregate test scores by some eCommunity schools. (In the years since passage of the 2005 legislation, most of the schools moved up one level on Ohio's school report card system.)
- Enrollment of students in eCommunity schools contributing to decreased enrollment in many public school districts.
- Funding issues; because state funding follows the student, districts lose most of the state foundation funding (but none of the local funding) associated with students who go to the eCommunity schools.

A study by the Ohio Alliance for Public Charter Schools<sup>172</sup> suggests that the eCommunity schools have achieved better results than comparable traditional school districts, but as of August 2009 these findings have not yet translated into lifting the moratorium on new eCommunity Schools that remains in effect.

Legislation enacted in 2007 and later amended in 2008 directs the chancellor of the Ohio Board of Regents to establish a clearinghouse of online courses offered by school districts, community schools, higher education institutions and other providers for sharing within the state for a fee set by the course provider.<sup>173</sup> To offer a course, the course provider must submit an application to the chancellor for review and approval. The clearinghouse is not yet in place as of September 2009.

<sup>169</sup> List of e-Schools; retrieved August 21, 2009, <http://www.ode.state.oh.us/GD/DocumentManagement/DocumentDownload.aspx?DocumentID=59539>

<sup>170</sup> School enrollment history based on the 2007-2008 Annual Report on Ohio Community Schools; retrieved August 21, 2009, <http://education.ohio.gov/GD/Templates/Pages/ODE/ODEDetail.aspx?page=3&TopicRelationID=662&ContentID=41601&Content=66004>; and the Ohio Report Cards, 2008-2009; retrieved August 25, 2009, <http://www.ode.state.oh.us/gd/templates/pages/ode/odedetail.aspx?page=279>

<sup>171</sup> Information in this section is based on and updated from the 2004-2005 Annual Report on Ohio Community Schools; retrieved August 21, 2009, <http://www.ode.state.oh.us/GD/DocumentManagement/DocumentDownload.aspx?DocumentID=22703>; and legislation passed in 2005, House Bill 66; retrieved August 21, 2009, [http://www.legislature.state.oh.us/BillText126/126\\_HB\\_66\\_EN1\\_N.html](http://www.legislature.state.oh.us/BillText126/126_HB_66_EN1_N.html)

<sup>172</sup> The Ohio Alliance for Public Charter Schools study, E-schools Show Superior Results; retrieved August 24, 2009 [http://www.oapcs.org/files/EschoolStudy\\_final6-24-09.pdf](http://www.oapcs.org/files/EschoolStudy_final6-24-09.pdf)

<sup>173</sup> House Bill 119, section 3353.21, 2007 and House Bill 562, section 3333.82, 2008; retrieved September 15, 2009, [http://www.legislature.state.oh.us/BillText127/127\\_HB\\_119\\_EN\\_N.html](http://www.legislature.state.oh.us/BillText127/127_HB_119_EN_N.html) [http://www.legislature.state.oh.us/BillText127/127\\_HB\\_562\\_EN\\_N.html](http://www.legislature.state.oh.us/BillText127/127_HB_562_EN_N.html)

## State policies

### Funding

- Community schools, including eCommunity schools, receive state funds directly from the state; these funds have been transferred from school district allocations.<sup>174</sup> eCommunity schools are funded at the same formula per-pupil as traditional districts (\$5,718 for FY 2010).<sup>175</sup>
- eCommunity schools are not eligible to receive poverty-based funding; however they do receive the same special education-based funding as all community schools.
- Since FY 2007, each eCommunity school has been required to spend a designated amount for pupil instruction or face a possible fine of up to 5% of state payments to the school. The 2009 budget bill revised the language in ORC3314.85(A) adding computers and software for students as eligible instruction expenses.<sup>176</sup>

### Governance, tracking, and accountability

- Each student enrolled in an eCommunity school must have an “affiliation” with at least one “teacher of record” licensed by the State Board of Education. The “teacher of record is responsible for the overall academic development and achievement of a student and not merely the student’s instruction in a single subject.”
- No teacher of record can be responsible for more than 125 students.
- Each eCommunity school must provide a minimum of 920 hours of “learning opportunities” to students per school year. Only 10 hours in any 24-hour period can count toward this total.
- eCommunity schools can count student learning in terms of days instead of hours; in this case, a “day” must consist of at least five hours.
- Each child enrolled in an eCommunity school is entitled to a computer supplied by the school. If there is more than one child per household, the parent can request fewer computers than children enrolled in the school.
- eCommunity schools may not provide a stipend in lieu of a computer; they must provide an actual computer.

### Quality assurance, teaching, and curriculum

- eCommunity schools must administer the state-developed achievement tests and diagnostic assessments in the same manner as school districts, and must provide students a location within 50 miles of the student’s residence for the assessments.
- Whenever an eCommunity school student fails to participate in the spring administration of a grade-level achievement test for two consecutive school years, the school must withdraw that student from enrollment unless the parent pays tuition equal to the state funds the school otherwise would receive for that student. eCommunity schools must report these students to the state, the state must maintain a list of these students, and no eCommunity school will receive funds for students appearing on this list.
- Each eCommunity school “must submit to its sponsor a plan for providing special education and related services to disabled students enrolled in the school.”

<sup>174</sup> Summarized from ORC3314.08(C); retrieved August 21, 2009, <http://codes.ohio.gov/orc/3314.08>

<sup>175</sup> ODE website; retrieved August 21, 2009, <http://www.ode.state.oh.us/GD/Templates/Pages/ODE/ODEDetail.aspx?page=3&TopicRelationID=878&ContentID=2305&Content=70890>

<sup>176</sup> Retrieved August 25, 2009, <http://codes.ohio.gov/orc/3314.085>

	<b>SOUTH DAKOTA</b>
<b>State virtual school</b>	South Dakota Virtual School
<b>Other statewide programs</b>	DIAL, E-learning Center and Learning Power; no charter school law
<b>Other significant online programs</b>	No
<b>State-level policy</b>	HB1236 signed in March 2006 created the Virtual School and Advisory Council; HB1113 essentially limits districts to providers in the SDVS program

## South Dakota

The South Dakota Virtual School (SDVS), a consortium of approved distance education providers offering supplemental courses managed from within the South Dakota Department of Education, is the main online learning option for students in South Dakota. SDVS was created by House Bill 1236 in 2006 and was launched in March 2007.

The Department of Education has established criteria for approval of Distance Learning Providers (DLP), and reviews each course offered by a DLP. More than 200 different courses have been approved, equaling a complete high school graduation offering (with the exception of a speech requirement). HB1113 (2007) restricts districts from putting a grade on a student transcript unless the course was from an approved DLP.<sup>177</sup> This is intended to centralize quality control and will effectively limit any other programs.

The SDVS acts as a clearinghouse, and providers are paid directly by school districts, which have the right to refuse students' requests for an online course. Providers set course fees.

Other substantial online programs and resources in South Dakota include:

- DIAL Virtual School is an initiative of the Dakota Interactive Academic Link (DIAL) consortium of schools focusing on Career and Technical Education courses.
- The E-learning Center provides distance delivery of Digital Dakota Network (DDN) and Internet-based college-prep and AP high school courses. Courses are provided free to schools according to priority ratings established by the Department of Education. Priority is given to small, rural schools.
- Learning Power is a South Dakota Online AP Incentives Program funded by a grant from the National Math and Science Initiative. It is led by the South Dakota Collaborative for Advanced Placement. The program provides \$100 cash awards to students who complete (and achieve a score of 3 or higher on the end-of-course exam) designated Advanced Placement courses in math, science, and English.

Districts access DIAL, E-learning Center, Learning Power and other providers through the SDVS in almost all cases; the only exception is if a district seeks a course topic that is not offered through the SDVS. For the 2008-09 school year SDVS had:

- 88 out of 192 districts, 46%, had students enrolled in a SDVS course (of those 88 districts, 56 have student populations less than 400)
- 2,312 semester course enrollments
- 240 semester course offerings as of August 2009, with new courses constantly in the approval process.

<sup>177</sup> A list of approved DLPs; retrieved July 24, 2009, <http://www.sdvs.k12.sd.us/Providers/About.aspx>

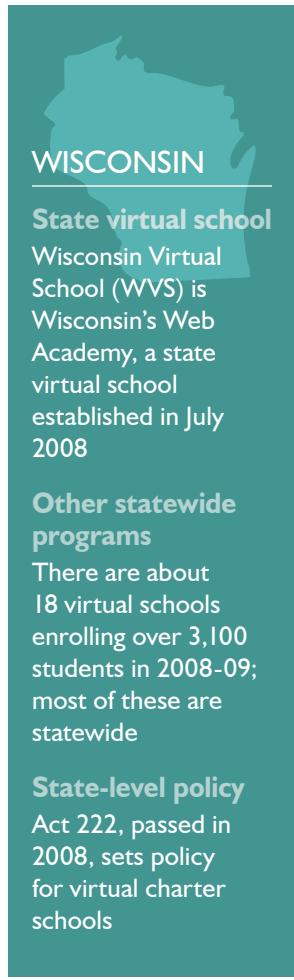
## State policies

The following policies are detailed in state administrative rules.<sup>178</sup>

- “The Department of Education shall review and approve each course offered by an approved distance learning provider before posting the course offering to the South Dakota Virtual School. Each course shall be approved contingent on: (1) Alignment with state content standards; (2) Qualified instructional staff; (3) Evaluation component for students to demonstrate course completion; and (4) Assurance that the approved distance learning provider will work with the local district to meet special needs in order to be in compliance with the Americans with Disabilities Act, as amended to July 1, 2006; (5) Being identified as a need by the South Dakota Virtual School Advisory Council. Each course description must include prerequisites, course duration, number of credits, delivery method, syllabus, and fee amount.”<sup>179</sup>
- The certified DLPs are required to report on the type of courses offered, the number and names of districts served, number of course registrations, completion rates, and other information. The certification only applies to programs originating from outside the school district being served.
- Proctored exams are required.

<sup>178</sup> From South Dakota administrative rules specific to distance learning and the virtual school; retrieved July 24, 2009, <http://legis.state.sd.us/rules/DisplayRule.aspx?Rule=24:43:12>

<sup>179</sup> South Dakota Legislature administrative rule 24:43:12:11; retrieved July 24, 2009, from <http://legis.state.sd.us/rules/DisplayRule.aspx?Rule=24:43:12:11>



## Wisconsin

Online learning in Wisconsin gained national attention when an appeals court ruled in December 2007 that the Wisconsin Virtual Academy (WIVA), a charter school established by the Northern Ozaukee School District and affiliated with K12 Inc., violated state laws and was not eligible for state funding. To prevent online charter schools across the state from being denied funding and closing, the legislature responded by enacting Act 222, which makes changes to charter school, open enrollment, and teacher licensing laws to allow virtual charter schools in Wisconsin to operate with public funding. Prior to the passage of Act 222, online charter schools had been governed by regulations which created accountability in three major areas (1) student performance (i.e., state assessments), (2) fiscal management, and (3) adherence to their contracts and the charter school law. None of these were specific to online schools. Although in previous years the Wisconsin Department of Public Instruction had pulled together a stakeholder group and created a set of recommendations for online policies, these had not been enacted by the legislature.

Act 222 defines a virtual charter school as: “[A] charter school... in which all or a portion of the instruction is provided through... the Internet, and the pupils enrolled in and instructional staff employed by the school are geographically remote from each other.” It is unclear whether this definition would cover schools that use a blended instructional approach such that students and teachers are sometimes together in a physical classroom.

The act also specifies that for open enrollment and other purposes, a virtual charter school be located in the school district that has contracted for the school's establishment. This was a key element of the lawsuit and subsequent debate, centered on the question of where an online school should be considered to be geographically located.

As in most states, Wisconsin requires that any person who teaches in a public school must hold a teaching license or permit issued by the state. In the appeals court case, the plaintiffs contended that because WIVA parents engaged in teaching, they required a license. The new law exempts parents and other persons providing educational services in the student's home, other than instructional staff, from the licensing requirement. The act also defines the role of the online teacher, separate from the parent, stipulating that the instructional staff member is responsible for “improving learning by planned instruction; diagnosing learning needs; prescribing content delivery through class activities; assessing learning; reporting outcomes to administrators and parents and guardians; and evaluating the effects of instruction.” Also, the act requires that starting in 2010, online teachers must have completed at least 30 hours of professional development designed to prepare a teacher for online teaching.<sup>180</sup> Other key provisions include:

- The act creates a state-led web academy that opens online learning to more students without having to open enroll in another school.

<sup>180</sup> The guidance for online teacher professional development can be found on the Department of Public Instruction's Virtual School site; retrieved August 20, 2009, [http://dpi.wi.gov/imt/pdf/online\\_course\\_pd.pdf](http://dpi.wi.gov/imt/pdf/online_course_pd.pdf)

- If a student fails to respond appropriately to instructional staff within five school days, the virtual school must notify the student's parent or guardian.
- If a student fails to participate three times in a semester, he or she may be transferred to another school or program.
- Beginning in the 2009-10 school year the total number of students attending virtual charter schools through the Open Enrollment Program in any school year may not exceed 5,250. Siblings of virtual school students are not included in this enrollment cap. If demand for online slots exceeds the cap, the DPI is to determine the students who may enroll in online schools "at random."
- The act directs the Legislative Audit Bureau to perform a financial and performance evaluation audit of virtual charter schools by December 30, 2009.
- The act requires licensed educators and a minimum number of days of instruction for virtual charter schools.
- Teachers are required to be available for at least the minimum numbers of hours specified by grade level under current law (no more than 10 hours in any 24-hour period), and to respond to inquiries from pupils or parents by the end of the first school day following the day on which the inquiry is received.
- Online charter schools are required to report to students' resident districts the students who will be attending the charter school, in June prior to the school year.

## Online programs

The Wisconsin Virtual School (WVS) is a supplemental state virtual school created through a partnership between the Wisconsin Department of Public Instruction (DPI) and Cooperative Educational Service Agency (CESA) 9. WVS, which has been in operation since 2000, is Wisconsin's Web Academy (WWA) as called for in Act 222. The Wisconsin Virtual School offers more than 180 online courses for students in grades 6-12 with course enrollments of nearly 1,800 in 2008-09.<sup>181</sup> WVS/WWA has an annual budget of \$527,000 and is funded largely through course fees.

The DPI categorizes "online programs" as supplemental providers and virtual charter schools as those that directly enroll students. It lists four online programs and 14 virtual charter schools including Appleton eSchool, Wisconsin Connections Academy and Wisconsin Virtual Academy, a statewide full-time online charter school launching in fall 2009.<sup>182</sup>

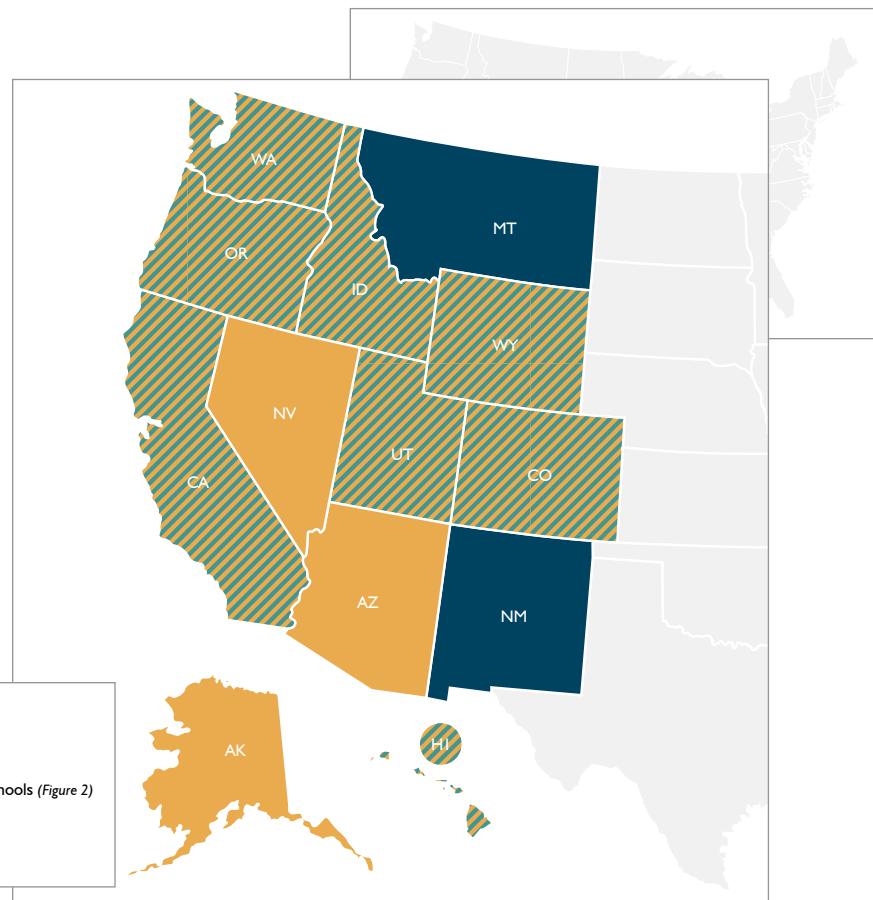
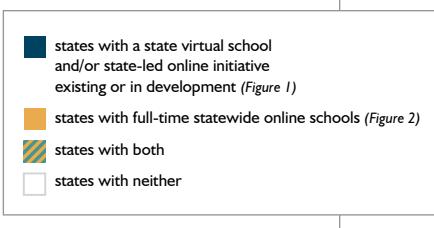
The Department of Public Instruction established a set of criteria for quality online courses for supplemental programs in 2008-09. The criteria<sup>183</sup> require that all teachers are appropriately licensed in the subject area and grade level that they are teaching. For each student, the teacher is responsible for: 1) improving learning through planned instructions; 2) diagnosing learning needs; 3) prescribing content delivery through class activities; 4) assessing learning; 5) reporting outcomes to administrators, parents and guardians; and 6) evaluating the effects of instruction. It requires class sizes of 25 or less. Teachers must respond to all inquiries from students and parents within 48 hours. Schools may certify to the DPI that they meet the quality criteria established by the DPI as a way to demonstrate to districts and parents that the program has quality assurances, but the DPI does not certify virtual programs. Both Wisconsin Virtual School (grades 6-12) and Appleton eSchool (grades 9-12) have certified to their programs the DPI based on these criteria.

<sup>181</sup> Wisconsin Department of Public Instruction; retrieved July 29, 2008, <http://dpi.wi.gov/>

<sup>182</sup> A list of virtual charter schools; retrieved July 15, 2009, <http://dpi.wi.gov/imt/onlinevir.html>

<sup>183</sup> Wisconsin Web Academy Memo of Understanding (MOU); retrieved July 14, 2009, <http://dpi.wi.gov/imt/pdf/mou08.pdf>

# State policy profiles: WEST



## Alaska

At least two statewide online schools and some district online programs.

## Arizona

New legislation removes the TAPBI program "pilot" status, changes the name to Arizona Online Instruction (AOI), eliminates the cap on the number of districts and charter schools that can operate AOI programs and makes changes in funding.

## California

Many district programs and online charter schools, all limited to provide services only in their own area and contiguous counties. University of California College Prep is a state-led initiative with over 60 partner organizations including county education offices and districts delivering online content and instruction.

## Colorado

State audit released in December 2006 led to passage of state law in 2007 creating new online division within the Department of Education and new oversight mechanisms. State virtual school, several online charter schools and growing number of district programs.

## Hawaii

Hawaii Virtual Learning Network's E-School is the state virtual school; Myron B. Thompson Academy is statewide full-time school and a Hawaii Virtual Learning Network partner; online charter opened in 2008.

## Idaho

Idaho Digital Learning Academy is the state virtual school; several online charters and district programs; Idaho Education Network created to provide technology infrastructure; legislation in 2009 establishes new funding provisions to provide more flexibility, including blended learning programs.

## Montana

Legislation in 2009 formed a new state virtual school, Montana Virtual Academy, as a unit of the Montana higher education system; many supplemental district programs and an online learning consortium.

## Nevada

Online charter schools and district online programs including Clark County Virtual High School; Nevada Revised Statutes set distance education program requirements.

## New Mexico

State virtual school, IDEAL-NM, launched in 2008; LMS for P-20+ includes government agencies and workforce development; some school district online programs.

## Oregon

Law in 2005 created Oregon Virtual School District; several district programs and statewide online charter schools; SB767 (2009) restricted virtual charter school growth.

## Utah

UT Electronic High School is the state virtual school; statewide online charter; BYU Independent Study Program offers online correspondence courses.

## Washington

New Digital Learning Department encompasses previous state-led initiative, Digital learning Commons; statewide district programs; no charter school law; extensive state rules governing online learning.

## Wyoming

The state-led initiative, Wyoming Switchboard Network (WSN), coordinates distance learning among districts; two district programs and three statewide full-time virtual charters have received WSN approval.

## Alaska

Alaska's schools have historically offered correspondence courses to support students working at home, and increasingly these courses are being offered online. There are two statewide fully online, full-time correspondence schools. The Delta Cyber School operates out of the Delta/Greely School District and is available to students ages 5-19. In 2008-09 it served approximately 350 students. It is free of charge to any Alaskan student not attending another public school, and tuition-based courses are also available for public school students.<sup>184</sup> The Alaska Virtual Academy at Wrangell opened fall 2009 for students in grades K-8 utilizing K12 Inc. curriculum. The Ketchikan Gateway Borough School District opened Fast Track for the 2009-10 school year, a statewide correspondence school for grades K-12 with print, online and homeschool courses. There are seven charter and correspondence programs that offer online courses, but these are not full-time virtual charter schools.

Fairbanks North Star Borough School District launched Building Educational Success Together (B.E.S.T.) in fall 2008, a full-time district program for students grades 7-12 with services provided by Advanced Academics.<sup>185</sup> Anchorage and Kenai School Districts have also expanded their online options for students within their districts.

In 2008, the Department of Education and Early Development (EED) established new regulations (4 AAC 33.410) governing correspondence programs, including online learning programs. The regulations establish reporting requirements for districts enrolling out-of-district students and part-time students, and ensure standards for curriculum, instruction, and student assessment are consistent with state standards. One key element of the regulations is their requirement that online programs develop individual learning plans for students.<sup>186</sup>

In 2009 House Bill 197<sup>187</sup> was introduced to allow for and establish minimum standards for open enrollment virtual charter schools. The bill did not pass, but is expected to be re-introduced in the next session.



**State virtual school**  
No

**Other statewide programs**  
Delta Cyber School and Alaska Virtual Academy at Wrangell are fully online, statewide correspondence schools; Fast Track, a statewide correspondence school offers online courses

**Other significant online programs**  
Fairbanks North Star Borough School District's Building Educational Success Together (B.E.S.T.)

**State-level policy**  
State regulation 4 AAC 33.410 establishes rules for correspondence programs and reporting requirements for out-of-district and part-time students

<sup>184</sup> Delta Cyber School; retrieved August 10, 2009, <http://www.dcs.k12.ak.us/about.html?section=general>

<sup>185</sup> <http://www.fairbanksbest.com/main.html>

<sup>186</sup> Department of Education and Early Development; retrieved July 27, 2009, [http://www.eed.state.ak.us/regs/filed/4AAC\\_33.405\\_4AAC\\_33.490.pdf](http://www.eed.state.ak.us/regs/filed/4AAC_33.405_4AAC_33.490.pdf)

<sup>187</sup> HB197 was introduced by Representative Wes Keller from Wasilla in 2009; retrieved August 10, 2009, [http://www.legis.state.ak.us/basis/get\\_bill\\_text.asp?hsid=HB0197A&session=26](http://www.legis.state.ak.us/basis/get_bill_text.asp?hsid=HB0197A&session=26)



## Arizona

Although Arizona does not have a state virtual school, over the last several years the state first passed and then updated<sup>188</sup> legislation creating the Technology Assisted Project-Based Instruction (TAPBI) program,<sup>189</sup> a pilot program consisting of seven school districts and seven charter schools<sup>190</sup> offering online courses. In July 2009, the legislature passed an omnibus education bill (SB1196) that removed TAPBI from pilot status and:

- Eliminated the cap on the number of districts and charter schools that can operate Technology Assisted Project Based Instruction (TAPBI) programs
- Changed the name of the program to Arizona Online Instruction (AOI)
- Changed the funding for Arizona Online Instruction programs to 85% of the normal base support level for part-time students and 95% of the normal base support level for full-time students.<sup>191</sup>

Movement toward removing TAPBI from pilot status was slowed as a result of a program audit conducted by the State of Arizona Office of the Auditor General and released in November 2007. It concluded that the TAPBI program had been overfunded by \$6.4 million dollars due to the way TAPBI students are counted (but not due to accounting practices of the online schools).<sup>192</sup> The audit made recommendations to the Arizona Department of Education (ADE) and the Arizona State Board of Charter Schools. The ADE agreed with each of the Office of the Auditor General recommendations and is implementing plans to comply,<sup>193</sup> including a revision of the Student Accountability Information System (SAIS).<sup>194</sup> The Arizona State Board of Charter Schools also agreed to most findings of the audit.

## Online programs

There are 14 participants in the Arizona Online Instruction (formerly TAPBI) program, made up of both charter schools and school districts. There were over 23,000 students participating in the Arizona Online Instruction (AOI) schools during the 2007-08 fiscal year. AOI charter schools are Arizona Connections Academy, Arizona Virtual Academy, Kids at Hope Online Academy, Humanities & Sciences of the United States, Pinnacle Education, Primavera Technical Learning Center, and Sequoia Choice Schools (formerly AZ Distance Learning). School districts participating in AOI are Lake Havasu, Marana, Peoria, Tucson, Tempe Union High School District, Deer Valley, and Mesa.<sup>195</sup>

<sup>188</sup> Arizona Senate Bill 1422; retrieved July 21, 2009, <http://www.azleg.gov/legtext/47leg/1r/bills/sb1422h.pdf>

<sup>189</sup> Arizona Revised Statutes § 15-808 describing the program; retrieved July 18, 2009, from <http://law.justia.com/arizona/codes/title15/00808.html>

<sup>190</sup> Participating schools, listed at <http://www.ade.state.az.us/stateboard/tapbi.asp>; retrieved July 21, 2008

<sup>191</sup> State of Arizona, SB1196; retrieved August 24, 2009, <http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/1r/laws/0095.htm>

<sup>192</sup> TAPBI Audit, State of Arizona Office of the Auditor General; retrieved July 23, 2009, [http://www.auditorgen.state.az.us/Reports/School\\_Districts/Statewide/tapbi/Oct07/tapbi\\_execsumm.htm](http://www.auditorgen.state.az.us/Reports/School_Districts/Statewide/tapbi/Oct07/tapbi_execsumm.htm) and [http://www.auditorgen.state.az.us/Reports/School\\_Districts/Statewide/tapbi/Oct07/TAPBI.pdf](http://www.auditorgen.state.az.us/Reports/School_Districts/Statewide/tapbi/Oct07/TAPBI.pdf)

<sup>193</sup> Arizona Department of Education, Response to TAPBI Audit; retrieved July 23, 2009, [http://www.auditorgen.state.az.us/Reports/School\\_Districts/Statewide/tapbi/Oct07/TAPBI\\_Responses.pdf](http://www.auditorgen.state.az.us/Reports/School_Districts/Statewide/tapbi/Oct07/TAPBI_Responses.pdf)

<sup>194</sup> SAIS plan; retrieved July 23, 2009, [http://www.ade.az.gov/sais/Downloads/FY-09\\_SAIS\\_Overview.doc](http://www.ade.az.gov/sais/Downloads/FY-09_SAIS_Overview.doc)

<sup>195</sup> TAPBI list of approved charter schools and TAPBI web site; retrieved August 21, 2009, <http://www.ade.state.az.us/stateboard/TAPBI/TAPBISchoolsContactList.pdf> and <http://www.ade.state.az.us/stateboard/TAPBI/>

The AZ Department of Education is directly offering online courses for the first time through a pilot program started in fall 2009 with courses in AP US History and AP Calculus AB.

## State policies

State policies are based on SB1996.<sup>196</sup> Schools participating in AOI must provide an annual report describing the program and how student achievement will be measured. Schools must also survey students annually and include survey information in their reports. The State Board of Education is to compile the information from the AOI reports and report to the legislature on the effectiveness and cost of the AOI program.

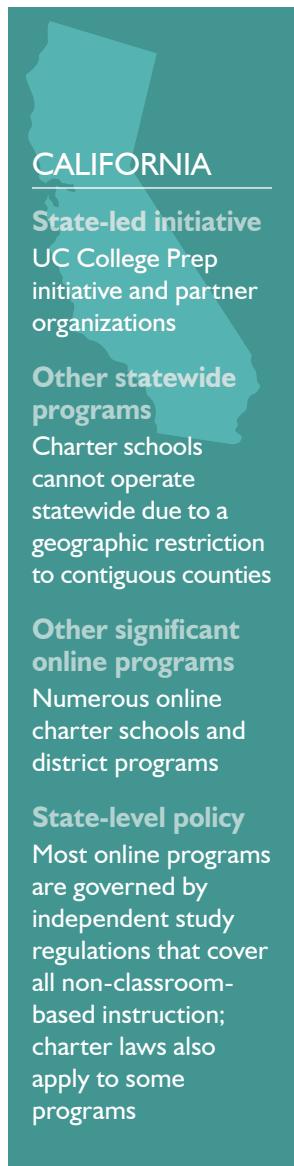
### Funding

- Average daily membership (ADM) of a pupil in an AOI program cannot exceed 1.0 FTE.
- Online schools receive funding at 85% of the normal base support level for part-time students and 95% of the normal base support level for full-time students.
- FTE funding follows the student and may be split between an AOI school and another charter school or district based on the time the student spends in each school.
- Pupils in AOI do not incur absences for the purposes of calculating ADA and may generate ADA during any hour and any day of the week. For funding purposes, programs must maintain a daily student log describing the amount of time spent by each pupil on academic tasks.

### Governance, tracking, and accountability

- Each school currently provides an annual report to the state. The State Board of Education and State Board of Charter Schools will establish new annual reporting mechanisms for AOI programs by July 1, 2010, and the Department of Education will assemble and present these reports to the governor and legislature each November.
- Students must participate in state assessments, if a student does not take the state assessment and the school has less than 95% participation in the assessments, the student may not continue in the online program.
- The application process and standards for districts interested in instituting an AOI online program are being developed jointly by the State Board of Education and State Board of Charter Schools, and have not been defined as of August 2009.

<sup>196</sup> State of Arizona, SB1196; retrieved August 24, 2009, <http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/1r/laws/0095.htm>



## California

California has extensive online education activity, including a state-led initiative and roughly 25 online charter schools and district programs, many of which are supplemental. Online learning is regulated via a combination of laws and regulations that are explained below.

### Online programs

The University of California College Prep is a statewide initiative operated by the University of California Santa Cruz and funded through the state academic preparation program. UC College Prep began as a response to the lack of availability of AP courses in many high schools across California, and grew to offer a variety of high school courses and instruction. In 2007, UC College Prep shifted its focus away from providing instruction and toward providing open educational resources to California schools. UC College Prep now has 60 partner organizations (county offices of education, districts and some individual schools) offering its online curriculum with instruction and course credit across the state. The online content is free to any educational nonprofit institution in California, and courses are currently distributed statewide to community colleges through the CA Virtual Campus.<sup>197</sup> UC College Prep is working with the K-12 High-Speed Network, an agency of California Department of Education tasked with providing districts with Internet 2 access, to distribute all its courses to over 5 million students through the network beginning in fall 2010. Online college prep courses must meet "a-g" policy standards<sup>198</sup> in order to satisfy the UC and CSU entrance requirements.

California also has numerous online charter schools and district online programs. These include California Virtual Academies, a network of nine online charter schools affiliated with K12 Inc.; schools affiliated with Connections Academy, Insight Schools, and Advanced Academics; and independent district programs including Riverside Virtual School and Los Angeles USD Online Learning Program. Some districts like Pacific Coast High School have formed consortia for sharing online courses developed by their member schools.

In 2009 Governor Arnold Schwarzenegger promoted a digital textbook initiative as part of comprehensive budget reform to allow school districts to shift funds from textbook allocations to other areas.<sup>199</sup> The initiative required an approval process to ensure proper alignment with state standards, and the first 10 digital textbooks, all in math and science, were approved by the California Learning Resource Network (CLRN) in August 2009.<sup>200</sup> UC College Prep is creating open source digital textbook versions of its courses and will be submitting those to CLRN for approval.

### State policies<sup>201</sup>

Online programs in California are governed by one or two sets of laws:

<sup>197</sup> Personal communication with Curt Johnson, UC College Prep, August 16 and September 8, 2009

<sup>198</sup> a-g policy website; retrieved August 21, 2009, <http://www.ucop.edu/a-gGuide/ag/faq.html>

<sup>199</sup> Office of the Governor; retrieved July 21, 2009, <http://gov.ca.gov/index.php?/fact-sheet/12455/>

<sup>200</sup> California Learning Resource Network; retrieved August 21, 2009, <http://www.clrn.org/fdti/>

<sup>201</sup> This section based on the report The State of Online Learning in California: A Look at Current K-12 Policies and Practices, published by the University of California College Prep Online, 2006; retrieved August 20, 2009, from [http://www.cudi.edu.mx/educacion/publicaciones/final\\_elearning.pdf](http://www.cudi.edu.mx/educacion/publicaciones/final_elearning.pdf)

- Independent study regulations for all non-classroom-based instruction
- Charter school laws, some of which are specific to online programs (see SB740, below) and others that are not. Online charter schools are governed by charter school law and the independent study provisions.

## Funding

- Online curriculum may be presented either in a classroom setting or through independent study; the appropriate method of attendance accounting for such classes is dependent upon the instructional setting utilized.
- For online courses in a classroom setting, in which students are under the “immediate supervision and control” of a teacher, regular ADA funding applies through the provisions of AB294. For online courses not offered in a classroom setting, independent study attendance accounting applies.

## Quality assurance, teaching, and curriculum

Online courses delivered outside the classroom are subject to independent study provisions, including that the student-teacher ratio for independent study cannot exceed the ratio of classroom-based students to classroom-based teachers. “Independent study is an alternative instructional strategy, not an alternative curriculum. Students work independently, according to a written agreement and under the general supervision of a credentialed teacher.”<sup>202</sup>

In 2005 new regulations were created<sup>203</sup> that allow schools to avoid the pupil-teacher ratio provisions of the law if the school “has and maintains an 8 or above Academic Performance Index (API) rank in either its statewide or similar schools ranking and has no less than a 6 in the other of these two rankings.” In this case the school must spend at least 85% of its budget on instruction but is freed from other expenditure requirements. Other elements of the law include:

- Instruction must include “standards-based guided lessons, lesson plans, initial testing of students, [and] periodic assessment of student achievement...”
- Each student must have an individualized learning plan.
- All students must be given “access to a computer, Internet service, printer, monitor, and standards-aligned materials.”
- All students eligible for special education services must receive these services, and the charter school must recruit a student population with ethnic and racial representation similar to the counties served by the program.

Online charter schools are governed in part by provisions of SB740, passed in 2001, which require a charter school to:

- Spend 80% or more of total revenues on instruction.
- Spend 40% or more of public revenues on certificated staff salaries and benefits.
- Have a pupil-teacher ratio equal or lower than 25:1 or equal to or lower than the pupil-teacher ratio in the largest unified school district in the county or counties in which the school operates.

<sup>202</sup> Independent study requirements; retrieved August 20, 2009, <http://www.cde.ca.gov/sp/eo/is/>

<sup>203</sup> Title 5. EDUCATION, Division 1. California Department of Education, Subchapter 13. Independent Study, Article 3. Provisions Unique to Charter Schools; retrieved July 20, 2009, <http://www.northsouthmeeting.org/celdt/CELDT%20Regulations%206-05.pdf>



## Colorado

Colorado has a state virtual school, numerous full-time programs with 11,641 online students,<sup>204</sup> and extensive policy activity. The number of online students in 2008-09 represents a 26% increase from 2007-08. In 2009 the Colorado Department of Education, Unit of Online Learning, released its Summary Report of the Operations and Activities of Online Programs in Colorado, which is among the best examples of reporting of online program activity in any state.

Creation of the current online learning policy framework dates to December 2006 when the Office of the State Auditor released an audit reviewing full-time online programs and the performance of the State Department of Education in overseeing online programs.<sup>205</sup> The Trujillo Commission,<sup>206</sup> formed in response to the audit, and a task force formed by the State Board of Education<sup>207</sup> suggested recommendations for legislators who had requested the audit and expressed concerns about the lack of oversight of full-time online programs. In response, the legislature passed Senate Bill 215<sup>208</sup> in May 2007, which made numerous changes to online education regulations. The key elements, among many details of the bill, are:

- A distinction between multi-district online programs and single-district programs, while both types of programs must submit an annual report to the Colorado Department of Education (CDE), the multi-district online programs are subject to greater oversight because the authorizers of multi-district programs must be state certified as demonstrating capacity to run an online program.
- A requirement that online programs that use physical facilities in which students meet enter into a Memorandum of Understanding with the district in which the physical facility is located.
- Removal of the existing prohibition on funding online students who were not public school students in the prior year, as of June 2008. According to the summary report, “the repeal of this requirement allowed an additional 2,031 students to enroll in Colorado’s Online Programs for the 2008-09 school year.”
- A requirement that all online programs report annually to the state.

Another important provision of the law was the creation of a new division within CDE to facilitate certification of multi-district online programs. The Unit of Online Education began operations in October 2007 and was tasked with first addressing the statutory requirements of SB215, including the creation of new quality standards that are now a cornerstone of the rules for the online program accreditation process. The Unit is currently focused on facilitating the certification of programs, as well as providing support for parents, students, authorizers and other entities related to online learning by providing information and access to available data. This support includes creating workshops for school districts regarding the new definitions<sup>209</sup> for what qualifies as an online program.

<sup>204</sup> CDE, Unit of Online Learning, Summary Report of the Operations and Activities of Online Programs in Colorado, February 1, 2009; retrieved July 22, 2009, [http://www.cde.state.co.us/onlinelearning/download/2009\\_Annual\\_Online\\_Report\\_FINAL.pdf](http://www.cde.state.co.us/onlinelearning/download/2009_Annual_Online_Report_FINAL.pdf). Unless otherwise noted, many of the numbers in this profile are taken from this report.

<sup>205</sup> Report of the State Auditor; retrieved July 22, 2009, [http://www.leg.state.co.us/OSA/coauditor1.nsf/All/6D2762978BB1D6DF8725723E005ED7D4/\\$FILE/1768%20Online%20Ed%20Perf%20rel%20Dec%202006.pdf](http://www.leg.state.co.us/OSA/coauditor1.nsf/All/6D2762978BB1D6DF8725723E005ED7D4/$FILE/1768%20Online%20Ed%20Perf%20rel%20Dec%202006.pdf)

<sup>206</sup> The Trujillo Commission’s report; retrieved July 22, 2009, from <http://www.dkfoundation.org/PDF/TrujilloCommissionOnlineEducationFinalReport-2-15-2007.pdf>

<sup>207</sup> CDE website; retrieved July 22, 2009, <http://www.cde.state.co.us/cdecomm/download/pdf/OnlineReportInterimReport.pdf>

<sup>208</sup> CDE web site; retrieved July 22, 2009, <http://www.cde.state.co.us/onlinelearning/download/SB215.pdf>

<sup>209</sup> The definitions are found on the CDE website; retrieved July 22, 2009, <http://www.cde.state.co.us/onlinelearning/download/Definitions.pdf>

A second online education law was also passed in Colorado in 2007. House Bill 1066<sup>210</sup> provides \$480,000 annually through 2009-10 to fund a Board of Cooperative Educational Services (BOCES) to contract with a provider to provide online courses to school districts across the state for no more than \$200 per student per semester. Colorado Online Learning (COL), a 501(c)3 organization that grew out of the Colorado Online School Consortium in response to a series of task forces created by the state over several years, was selected as the statewide provider by the Mountain BOCES at the conclusion of its original RFP process.

## Online programs

The CDE is aware of 18 full-time multi-district, 9 single district, and 2 supplemental (including COL) online programs, listing many of them on their website.<sup>211</sup> The 2008 pupil count included 11,641 full-time online students.<sup>212</sup> COL had 1,777 course enrollments in 2008-09 serving and 70 unique courses.

## State policies

State policies are based on SB215 and HB1066, both passed in 2007.

### Funding

- Per-pupil revenue (PPR), an FTE funding model that sets a minimum level of funding and is adjusted upward based on a number of factors for brick-and-mortar districts, remains at the state minimum for most online students. Funding is limited to 1.0 FTE per student and may be split in half but not into smaller units.
- In cases where students are taking more than half of an FTE class load in two schools, the districts involved negotiate the payment split or, in rare cases, the split is determined by the CDE.
- Single-district online schools are funded at the district PPR rate, receiving the same funding as the brick-and-mortar schools in that district.

### Governance, tracking, and accountability

- The Unit of Online Education within the CDE oversees online programs.
- Multi-district program authorizers must be certified by the CDE; this includes any program with more than 10 students from outside of the original district; single-district programs do not require certification.
- All online programs must adhere to quality standards that have been created by CDE Unit of Online Education.
- The supplemental online program funding provided by HB1066 requires an annual report to the legislature noting number of students taking courses and other information.

### Quality assurance, teaching, and curriculum

- Quality standards created by the CDE Unit of Online Education with the State Board of Education include “standards-based curricula and data-driven instructional practices,” and are used in accreditation and program reporting.<sup>213</sup>
- Multi-district program authorizers must demonstrate capacity to oversee online program curriculum and instruction.

<sup>210</sup> Retrieved July 22, 2009 from CDE website, <http://www.cde.state.co.us/onlinelearning/download/HB1066.pdf>

<sup>211</sup> CDE, Unit of Online Learning, list of online programs; retrieved July 22, 2009, <http://www.cde.state.co.us/onlinelearning/schools.htm>

<sup>212</sup> CDE, Unit of Online Learning, Summary Report of the Operations and Activities of Online Programs in Colorado, February 1, 2009; retrieved July 22, 2009, [http://www.cde.state.co.us/onlinelearning/download/2009\\_Annual\\_Online\\_Report\\_FINAL.pdf](http://www.cde.state.co.us/onlinelearning/download/2009_Annual_Online_Report_FINAL.pdf)

<sup>213</sup> The Quality Standards for Online Programs can be found as section 3.0 of Code of Colorado Regulations document CCR301-71, Rules for the Administration of the Colorado State Board of Education; retrieved July 22, 2009, [http://www.cde.state.co.us/onlinelearning/download/FINAL\\_permanent\\_rules\\_as\\_AMENDED\\_10.08.pdf](http://www.cde.state.co.us/onlinelearning/download/FINAL_permanent_rules_as_AMENDED_10.08.pdf).

	<b>HAWAII</b>
<b>State virtual school</b>	Hawaii Virtual Learning Network's E-School
<b>Other statewide programs</b>	Elite Element Academy, Hawaii Technology Academy, Myron B. Thompson Academy (MBTA), which is also part of the Hawaii Virtual Learning Network
<b>Other significant online programs</b>	No
<b>State-level policy</b>	HB2971 SD2, passed in 2008

## Hawaii

Hawaii has several statewide online programs,<sup>214</sup> including the Hawaii Virtual Learning Network's partners the E-School and Myron B. Thompson Academy, the private Elite Element Academy, and the Hawaii Technology Academy charter school. In recent years the state has engaged in active discussions about online learning. In 2007 the Hawaii Legislature created the Hawaii Online Task Force, which reported to the 2008 legislature.<sup>215</sup> In 2008 the legislature passed HB2971 SD2, which implemented the recommendations of the task force. The bill directs the Department of Education to expand online learning opportunities for students across the state by building on existing online programs, and proclaims "online learning is a strategic vehicle that will define the Department as a 21<sup>st</sup> century learning institution."<sup>216</sup> To that end, the Hawaii Online Task Force created the Hawaii Virtual Learning Network (HVLN) to expand and systematize online courses to offer a wide array of online courses to Hawaii's students.

The most important part of the legislation directs the charter partners including the Hawaii Department of Education's E-School and Myron B. Thompson Academy and the University of Hawaii Online Learning Academy to expand and systematize online courses to offer a wide array of online courses to Hawaii's students. To accomplish this, the HVLN has:

- Established criteria, evaluated and approved online courses to be offered and offered training to Hawaii teachers to be online instructors.
- Provided centralized support services to online students.
- Established partnerships with institutes of higher education, private schools, charter schools, state virtual schools, and commercial vendors.<sup>217</sup>

HVLN's more than 90 courses are available to all public schools and to private schools during summer sessions. Thirteen member schools pay a nominal membership fee and receive benefits such as online professional development courses and access to online course content.

## Online programs

The Hawaii Department of Education's E-School/HVLN, a supplemental online program offering courses to grades 7-12, had approximately 2,500 enrollments in 2008-09.<sup>218</sup> School district and charter school students may take courses at no charge during the school year. Private and homeschooled students may take courses during the summer session. All students pay for courses offered during the summer session.

<sup>214</sup> Hawaii has only a single, statewide school district; therefore the multi-district designation for online schools in other states does not apply.

<sup>215</sup> Online Learning Task Force Report to Hawaii State Legislature; retrieved August 24, 2009, [http://doe.k12.hi.us/reports/tolegislature\\_2008/A20-EduOnlineLearningTaskForce.pdf](http://doe.k12.hi.us/reports/tolegislature_2008/A20-EduOnlineLearningTaskForce.pdf)

<sup>216</sup> State of Hawaii House of Representatives, HB2971; retrieved September 8, 2009 from [http://www.capitol.hawaii.gov/session2008/bills/HB2971\\_sd2\\_.htm](http://www.capitol.hawaii.gov/session2008/bills/HB2971_sd2_.htm)

<sup>217</sup> Hawaii Virtual Learning Network; retrieved August 25, 2009, <http://hvln.k12.hi.us/>

<sup>218</sup> Hawaii Department of Education, Advanced Technology Research Branch; retrieved August 25, 2009, <http://165.248.2.18/>

Myron B. Thompson Academy (MBTA) is a full-time charter school that serves students statewide. It is mostly online though has some face-to-face requirements. The Hawaii Technology Academy (HTA) is a statewide online charter school for grades K-12 managed by K12 Inc. The academy served 500 K-8 students in its first year of operation in 2008-09, a cap set by the Charter School Review Panel. HTA combines face-to-face and online instruction through a centrally located learning center on Oahu. The Elite Element Academy<sup>219</sup> is a private K-12 virtual hybrid school, partnering with the Halau Ku Mana public charter school in Honolulu.

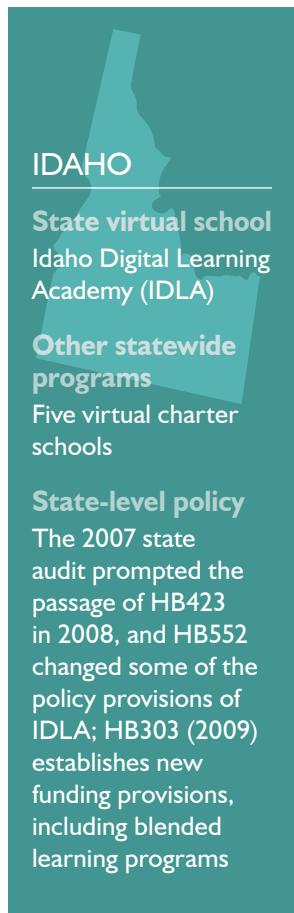
## State policies

HB2971 does not set extensive policy beyond supporting both full-time and supplemental online learning opportunities and directing the Department of Education to create policies to oversee online programs. It specifically directs the agency to:

- Develop and establish a mentoring and training program for online teachers, collaborating with the University of Hawaii Department of Educational Technology as needed;
- Develop and establish an online training program to increase the number of highly qualified teachers, administrators, and paraprofessionals;
- Provide support and incentives to teachers who become qualified to teach online courses and for teachers who utilize online courses to incorporate project-based and work-relevant learning;
- Standardize the procedure for granting credits for online coursework;
- Assist schools with online standards-based college preparatory curriculum;
- Expand credit recovery courses and remediation courses;
- Emphasize online science, technology, engineering, and mathematics courses and aggressively work to offer certain online courses through the department, including algebra I, English I, eighth-grade math and English, and career guidance;
- Expand distance education through interactive digital television;
- Establish an online course and resource center to include training modules and other support resources;
- Establish online and in-person tutoring and mentoring programs for students, partnering with the University of Hawaii as needed; and
- Develop recommendations on appropriate funding mechanisms.

In addition, the Department of Education is directed to assess the digital literacy of teachers, students, and other personnel in order to ensure maximum success of the online learning programs. The Department must “systematically establish the infrastructure for online learning based on institution type, in the following order of priority: high schools (including charter high schools), middle and elementary schools, adult community schools, charter middle and elementary schools, the University of Hawaii system (particularly the community colleges), private secondary and post-secondary institutions (for a fee), and adult populations for remedial education and upgrading of workforce skill.”

<sup>219</sup> Elite Element Academy; retrieved September 9, 2009, <http://www.eliteelementacademy.com/flash.html>



## Idaho

Idaho has a state virtual school, the Idaho Digital Learning Academy (IDLA), and four statewide full-time virtual charter schools, a fifth opening fall 2009, and a state distance education academy. Two new laws pertaining to online learning were passed in 2009. House Bill 303<sup>220</sup> includes two provisions that impact online learning. The law allows school districts to use up to 5% of the funding used for teacher salaries through the “total support units” formula to provide teachers to offer virtual instruction or blended learning options to their students. In addition, HB303 specifically addresses blended learning programs. “School districts may also offer instruction that is a blend of virtual and traditional instruction.... The school district may count and report the average daily attendance of the blended program’s students in the same manner as provided for traditional programs of instruction, for the days or portions of days in which such students attend a physical public school.”

HB157<sup>221</sup> addresses portions of HB543 (2008), which clarifies the role of the Idaho Education Network (IEN), as well as the role of the superintendent of public instruction in appointing members on IPRAC (Idaho Education Network Program Resource Advisory Council), which includes a representative from IDLA. HB157 also requires coordination with the Idaho Digital Learning Academy to distribute telecourses and other services through the IEN.

In 2008, two laws related to online learning were passed; one addressed concerns raised in a state audit released in 2007, and one clarified some provisions related to IDLA.

In addition to the legislation, the Idaho K-12 Online Teaching Standards were approved by the State Board of Education and in a public comment phase as of September 2009. A set of voluntary K-12 Online Teaching Endorsements is expected to be submitted to the state board for approval fall 2009, with submission for legislative approval in spring 2010, and program implementation targeted for fall 2010.

A 2007 audit of online charter schools discussed how online charter schools are recognized and defined in charter school law, and the lack of any similar definition or recognition of online programs that are not charter schools. The audit concluded with several recommendations, including defining virtual public schools, requiring that all online charter schools be authorized by the Public Charter School Commission, and recommending additional reporting requirements. In 2008 HB423<sup>222</sup> clarified the definition of a public virtual school as follows:

“Virtual school” means a school that delivers a full-time, sequential program of synchronous and/or asynchronous instruction primarily through the use of technology via the Internet in a distributed environment. Schools classified as virtual must have an online component to their school with online lessons and tools for student and data management.”

The law, put forward by the Public Charter School Commission (PCSC) with the support of the State Department of Education,<sup>223</sup> also created new requirements for virtual schools seeking a charter, which are discussed below.

<sup>220</sup> Idaho HB303; retrieved July 19, 2009, <http://www.legislature.idaho.gov/legislation/2009/H0303.htm>

<sup>221</sup> Idaho HB157; retrieved July 21, 2009, <http://www.legislature.idaho.gov/legislation/2009/H0157.pdf>

<sup>222</sup> Idaho House Bill 423, July 21, 2009, <http://www3.state.id.us/oasis/2008/H0423.html>

<sup>223</sup> Personal communication with Shirley Rau, School Choice Coordinator, Idaho State Department of Education, July 11, 2008

## Online programs

In addition to the state virtual school, IDLA, Idaho had four virtual public charter schools operating in the state in 2008-09: Idaho Virtual Academy, INSPIRE Connections Academy, iSucceed Virtual High School, and Richard McKenna Charter High School (formerly Idaho Virtual High School, combines both on-site and online instruction). Idaho Distance Education Academy is similar to a virtual charter but is classified as a distance education academy by the state. Two additional programs are scheduled to open in fall 2009: Kaplan Academy of Idaho, and Kootenai Bridge Academy. Another virtual charter school is scheduled to open in 2010. There are few district programs, although the Bonneville Joint School District anticipates launching an online program for grades K-8 for fall 2009.

Idaho Digital Learning Academy had 9,646 course enrollments in 2008-09 in grades 6-12, and 98% of Idaho school districts have at least one student taking an IDLA course.

## State policies

Although charter schools, including online charters, are not required to comply with some of the rules made by the State Board of Education, most voluntarily comply with the general education laws and rules of the state<sup>224</sup> as well as the laws that specifically apply to charter schools. Initial oversight of virtual schools occurs throughout the petition approval process (which now includes some provisions specific to online schools). The Public Charter School Commission and the Northwest Association of Accredited Schools accreditation process provide ongoing oversight of virtual schools in operation, including an annual review of authorizers, annual site visits by both the State Department of Education (SDE) and an accreditation team, and site visits from SDE teams in special areas, such as special education. Idaho statute requires that all public charter schools perform an annual programmatic operations audit and an annual fiscal audit and submit the results of those audits to their authorized chartering agency. All online public charter schools that are authorized by the Idaho Public Charter School Commission submit additional audit criteria that are specific to online schools as described below.<sup>225</sup> Staff from Idaho Virtual Academy worked with the SDE and the Idaho Charter School Network to present a data academy workshop at the statewide charter school conference that focused on how public charter schools, both bricks-and-mortar and online, can use data to more effectively manage a program.

In addition to the new online learning laws, the policies and quotes in this section are also based on two laws: charter school law<sup>226</sup> and a statute addressing “technological instruction.”<sup>227</sup>

### Funding

- Charter schools, including online charters, are funded based on average daily attendance.
- Districts offering distance learning programs may count students' time in an online or blended course for ADA funding purposes. They are not allowed to claim more than 1.0 FTE.
- IDLA is funded through state appropriation, based on a student enrollment formula, with additional funding through course fees.
- School districts may use up to 5% of their funding used for teacher salaries through the “total support units” formula to hire teachers to offer virtual instruction or blended learning options to their students.

<sup>224</sup> Ibid

<sup>225</sup> The Idaho Public Charter School Commission, FAQ: Annual Programmatic Operations Audits; retrieved July 21, 2009, <http://www chartercommission.id.gov/documents/ProgAuditStandards.pdf>

<sup>226</sup> Idaho Statutes Title 33, Chapter 52; retrieved July 21, 2009, from <http://www3.state.id.us/idstat/TOC/33052KTOC.html>

<sup>227</sup> Idaho Statutes, Title 33; retrieved July 21, 2009, <http://www3.state.id.us/cgi-bin/newidst?scid=330100003C.K>

- “School districts may also offer instruction that is a blend of virtual and traditional instruction.... The school district may count and report the average daily attendance of the blended program’s students in the same manner as provided for traditional programs of instruction.”<sup>228</sup>

### **Governance, tracking, and accountability**

- All schools in Idaho must be accredited by the Northwest Association of Accredited Schools, including online schools; therefore the department has a list of full-time online learning programs.
- New virtual schools, when seeking a charter, must report on:
  - “The learning management system by which courses will be delivered;
  - The role of the online teacher, including the consistent availability of the teacher to provide guidance around course material, methods of individualized learning in the online course and the means by which student work will be assessed;
  - A plan for the provision of professional development specific to the public virtual school environment;
  - The means by which public virtual school students will receive appropriate teacher-to-student interaction, including timely, frequent feedback about student progress;
  - The means by which the public virtual school will verify student attendance and award course credit. Attendance at public virtual schools shall focus primarily on coursework and activities that are correlated to the Idaho state thoroughness standards;
  - A plan for the provision of technical support relevant to the delivery of online courses;
  - The means by which the public virtual school will provide opportunity for student-to-student interaction; and
  - A plan for ensuring equal access to all students, including the provision of necessary hardware, software and Internet connectivity required for participation in online coursework.”

These are in addition to other data elements that must be reported for all charter schools.

Online charter schools that are authorized by the Idaho Public Charter School Commission must report on the following in their annual audit:<sup>229</sup>

- “Effectiveness of the learning management program
- Effectiveness of special services provided to qualifying students
- Average turnaround time for teacher review of student work
- Frequency and method of teacher/student and student/student interaction
- Frequency and method of teacher/parent interaction
- Professional development specific to the virtual school environment
- Effectiveness of technical support relevant to delivery of online courses.”

These are in addition to the annual reporting that all charter schools must do.

<sup>228</sup> Idaho HB303; retrieved July 19, 2009, <http://www.legislature.idaho.gov/legislation/2009/H0303.htm>

<sup>229</sup> The Idaho Public Charter School Commission, FAQ: Annual Programmatic Operations Audits; retrieved July 21, 2009, <http://www.chartercommission.id.gov/documents/ProgAuditStandards.pdf>

## Montana

In 2009 Montana passed HB 459 to form the Montana Virtual Academy, a new state virtual school that is a unit of the Montana higher education system hosted by the University of Montana's College of Education. The Academy will be developed throughout the rest of 2009 and the beginning of 2010, with plans to open to students in fall 2010. The reasons given in legislation for creating the Virtual Academy are similar to those in other states: "...to make distance learning opportunities available to all school-age children through public school districts in the state of Montana; offer high-quality instructors who are licensed and endorsed in Montana and courses that are in compliance with all relevant education and distance learning rules, standards, and policies; and emphasize the core subject matters required under the accreditation standards, offer advanced courses for dual credit in collaboration with the Montana University System, and offer enrichment courses."<sup>230</sup> HB645,<sup>231</sup> the Montana Reinvestment Act, is appropriating \$2 million to the Montana Higher Education system to develop and launch the Montana Virtual Academy. The initial funding is intended to cover start-up costs and the first year of operation, and the governing board will report to the 62<sup>nd</sup> legislature (which convenes again in January 2011) on future funding needs.

The creation of the Montana Virtual Academy is the latest in a series of online learning actions in the state over the last few years. In 2006, the Montana State Board of Public Education established a Distance Learning Task Force to address issues of distance learning and report in multiple phases. In September 2008, based on recommendations made by the task force, the Board of Public Education approved a new distance learning rule to amend the state administrative rules to require that the teacher delivering the online course or a local facilitator for students in online courses be licensed and endorsed by a state whose teacher preparation programs are regionally accredited and whose licensure requirements are equal to or greater than those of Montana. This was in response to the "highly-qualified teachers" requirement in NCLB. The Montana Virtual Academy will complement existing district-led initiatives, and state policies covering distance learning providers still exist. The state requires distance learning providers to register with the state and provide program and course descriptions, including demonstrating that students have "ongoing contact" with the online teacher, and verifying the qualifications of teachers.

### State policies

Montana policy states that districts may receive or provide distance learning, and may receive supplemental distance learning instruction "without restriction."

	<b>MONTANA</b>
<b>State virtual school</b>	Montana Virtual Academy was created in 2009
<b>Other statewide programs</b>	No
<b>Other significant online programs</b>	No charter school law, but several district programs
<b>State-level policy</b>	SB359; Montana Distance Learning Standard A.R.M. 10.55.907172; HB 459 created the Montana Virtual Academy

<sup>230</sup> Montana 61<sup>st</sup> Legislature HB0459, authorized Print Version - HB459; retrieved July 16, 2009, [www.opi.state.mt.us/pdf/Superintendent/HB0459.pdf](http://www.opi.state.mt.us/pdf/Superintendent/HB0459.pdf)

<sup>231</sup> Montana Legislative Fiscal division, overview HB645; retrieved July 16, 2009, [http://leg.mt.gov/content/Publications/fiscal/Historical\\_Perspective/federal\\_stimulus\\_overview.pdf](http://leg.mt.gov/content/Publications/fiscal/Historical_Perspective/federal_stimulus_overview.pdf)

## Funding

Effective July 1, 2006, students enrolled at district expense in online, distance or technology delivered education are included when calculating “average number belonging” (ANB) for school districts used for calculating state entitlements.<sup>232</sup> Montana allows school districts to report to OPI the students who took distance learning courses during the year but were not enrolled on the official count dates. Information reported is used to determine the additional ANB the district is qualified to budget for the ensuing year.

## Governance, tracking, and accountability

Online learning providers [other than Montana school districts] will annually:

- Register with the Montana Office of Public Instruction
- Identify all Montana school districts to whom they are delivering distance learning
- Verify the professional qualifications of course teachers
- Provide course descriptions, including content and delivery model, for each program and/or course
- Demonstrate that students have ongoing contact with the distance-learning teachers

## Quality assurance, teaching, and curriculum

- “School districts receiving distance, online, and technology-delivered learning programs described in this rule shall have a distance learning facilitator as provided in this rule assigned for each course and available to the students.
- When a teacher of distance, online, and technology-delivered learning programs and/or courses is not licensed and endorsed as provided in this rule, the facilitator must hold a Montana educator’s license.
- When a teacher of distance, online, and technology-delivered learning programs is licensed and endorsed in the area of instruction, as provided in this rule, the receiving school district’s facilitator shall be a licensed teacher or a para-educator.
- The school district must see to it that the facilitator receives in-service training on technology-delivered instruction.
- A school district shall provide a report to the Office of Public Instruction documenting how it is meeting the needs of students under the accreditation standards who are taking a majority of courses during each grading period via distance, online, and/or technology-delivered programs.”<sup>233</sup>

<sup>232</sup> Montana Office of Public Instruction, Administrative Rules of Montana, Title 10 Education, Chapter 55 Academic Requirements, Section 907 Distance, Online, and Technology Delivered Learning; retrieved July 16, 2009, <http://www.opi.mt.gov/pdf/arm/55chapter.pdf>

<sup>233</sup> Montana Senate Bill 359; retrieved July 16, 2009, <http://data.opi.state.mt.us/bills/2005/billhtml/SB0359.htm>

# Nevada

Nevada has online charter schools and district online programs. The state is unique in that approximately 70% of its students are in one district, the Clark County School District, which has a Virtual High School. The state also has policies governing distance education, which include video and online delivery and are discussed in the following section. Policies governing distance education apply to both district programs and charter schools. Prior to 2008, the State Board of Education had prohibited two statewide distance education charter schools from serving grades K-3; however, the State Board voted in August 2008 to open the statewide online charters to grades K-3.

## Online programs

Online programs include the Clark County School District Virtual High School, begun in fall 2004; Silver State Charter High School, which accepts full-time students from across the state who attend synchronous courses in a cohort and are required to meet with a teacher at a school once a week; Odyssey Charter School, which serves grades K-12 and has a face-to-face component; and Nevada Connections Academy and Nevada Virtual Academy. The virtual charter schools, not including the Clark County program, had a combined enrollment of 3,377 students from July 2008 through June 2009. This represents a 40% increase over the previous fiscal year.

## State policies

Nevada online education policies set forth programmatic and reporting requirements, have the state maintain a list of courses and programs that meet its requirements, allow the state to review or audit distance programs, and allow the state to revoke its approval of a distance education program that does not meet the requirements. Unless otherwise noted, the following information is taken from Nevada Revised Statutes,<sup>234</sup> with quotes from the Nevada Department of Education web page on distance learning.<sup>235</sup>

## Funding

- Students must get permission from their own school district before taking part in another school district's online program when the online program is not a charter school. This allows FTE funding to go to the school district offering the online program. If the student is taking online courses as part of the school day, the two districts agree to the apportionment of funds. The written agreement must be filed with the state to allow the student funding to go to the district providing the instruction.
- Virtual charter schools are not required to obtain permission from a student's local school district but must inform the district that the student is enrolling in the charter school before that student begins classes. Funding follows the student from the district in which the student resides to the charter school program.

<b>NEVADA</b>
<b>State virtual school</b>
No
<b>Other statewide programs</b>
Several statewide charter schools
<b>Other significant online programs</b>
Some district online programs, including the Clark County School District Virtual High School
<b>State-level policy</b>
Nevada Revised Statutes & Nevada Administrative Code set distance education program requirements

<sup>234</sup> Nevada legislation; retrieved August 27, 2009, <http://www.leg.state.nv.us/nrs/NRS-388.html> and <http://www.leg.state.nv.us/NAC/NAC-388.html>

<sup>235</sup> Nevada Department of Education; retrieved August 27, 2009, [http://www.doe.nv.gov/Tech\\_DistanceEd.htm](http://www.doe.nv.gov/Tech_DistanceEd.htm)

### Governance, tracking, and accountability

Reporting requirements specific to distance education programs were repealed in 2008. Previously, each online program had to report to the state on a list of requirements specific to online education, including program expenditures, the number of students, and more. Now each online program, whether or not it is a charter school, must report the same information as regular brick-and-mortar schools report annually to the Nevada Department of Education.

### Quality assurance, teaching, and curriculum

- The teacher must meet with or otherwise communicate with the pupil at least once each week during the course to discuss the pupil's progress.
- “If a program of distance education is provided for pupils on a full-time basis, the program must include at least as many hours or minutes of instruction as would be provided under a program consisting of 180 days.”
- Nevada Administrative Code addressing student attendance does not have a daily minutes of attendance requirement for the student but instead allows the acceptance of competency-based instruction in lieu of seat time. Distance education programs must meet the same state attendance standards as other schools unless the district “Obtains the written approval of the Superintendent of Public Instruction for a program that demonstrates progress or completion by pupils in a curriculum that is equivalent to the regular school curriculum. Approval of a plan for an adult high school program, an alternative program, or a distance education program which contains a request for a program that demonstrates progress or completion will be considered as approval by the Superintendent of Public Instruction. Demonstrated competency in curriculum that meets the state standards may be considered equivalent for purposes of this paragraph.”<sup>236</sup>
- Distance learning course providers must submit course outlines to the Department of Education for a review process to ensure the course content meets state curriculum standards.<sup>237</sup>

<sup>236</sup> Regulation of the State Board of Education, LCB File No. R134-07; retrieved August 27, 2009, [http://www.leg.state.nv.us/register/RegsReviewed/\\$R134-07A.pdf](http://www.leg.state.nv.us/register/RegsReviewed/$R134-07A.pdf)

<sup>237</sup> Nevada Department of Education approved distance learning course provider list; retrieved August 27, 2009, [http://www.doe.nv.gov/Tech\\_DistanceEd.htm](http://www.doe.nv.gov/Tech_DistanceEd.htm)

## New Mexico

New Mexico has a state virtual school, IDEAL-NM (Innovative Digital Education and Learning New Mexico), which was created within the 2007 Statewide Cyber Academy Act.<sup>238</sup> IDEAL-NM had approximately 1,700 course enrollments for fall 2008 and spring and summer 2009, its first full year of operation. Distance learning rules approved in 2008 set requirements for IDEAL-NM; the rule also allows public schools (including charters) to provide online learning courses to students in any district as long as there are written agreements in place between host and resident districts. Districts must develop processes that allow students access to online courses. The local school where the student is enrolled approves and registers students for online courses and pays course fees<sup>239</sup>.

In 2009-10 several provisions of the 2007 High School Redesign bill (SB0561)<sup>240</sup> become effective with implications for online learning:

- At least one of the 24 units required for graduation must be AP, honors, dual-enrollment or a distance learning course,
- Algebra I will be made available to all 8th graders (either online or classroom), and all districts must offer two years of a foreign language other than English.
- All schools must now offer a health course.

IDEAL-NM is unusual in that it provides a statewide learning management system (LMS) by which online K-12, higher education, and state agency training courses are delivered, referred to as P-20+. School districts may use the LMS to create their own online courses, or use the content developed by IDEAL-NM to teach their own courses. Schools can also use the LMS as a collaboration tool to create branded web portals, and take advantage of a shared community of resources and professional development services. In addition, a statewide eLearning Service Center supports the use of the shared LMS among all the education and training entities, including providing technical support.<sup>241</sup> IDEAL-NM also provides an eLearning portal that acts as a clearinghouse for online courses and programs offered by New Mexico higher education institutions in addition to information for K-12 and state agencies.

IDEAL-NM is working in partnership with local schools to develop a statewide network of school-based eLearning Facilitators that connect their students to online teachers and other resources, including a library of online courses and learning objects developed using iNACOL standards, a national content-sharing consortia and web-based tools including the Blackboard LMS and web conferencing tools.

**NEW MEXICO**

**State virtual school**  
IDEAL-NM  
(Innovative Digital Education and Learning New Mexico)

**Other statewide programs**  
The Cyber Academy Act and Distance Learning Rule allow for any public school (including charters) to provide online courses in any district in the state as long as there is a written agreement in place between host and resident districts

**Other significant online programs**  
Some single-district programs

**State-level policy**  
SB209/HB201, signed in spring 2007, created the statewide Cyber Academy provided through IDEAL-NM; the Distance Learning Rule of the New Mexico Administrative Code sets distance learning guidelines

<sup>238</sup> Legislative Education Study Committee Bill Analysis; retrieved July 28, 2009, <http://legis.state.nm.us/Sessions/07%20Regular/LESCAnalysis/senate/SB0209%20%20Cyber%20Academy%20Act.pdf>

<sup>239</sup> Personal correspondence with Veronica Chavez-Newman, Interim Executive Director, IDEAL-NM & Chief Information Officer, August 10, 2009; online courses for high school credit require a fee, dual credit courses (including dual credit) do not have a fee, but require schools to pay for course materials.

<sup>240</sup> New Mexico Senate Bill 0561; retrieved July 31, 2009, <http://legis.state.nm.us/Sessions/07%20Regular/final/SB0561.pdf>

<sup>241</sup> IDEAL-NM web site; retrieved July 28, 2009, <http://www.ideal-nm.org/>

## Online programs

In addition to IDEAL-NM, some school districts provide online programs including districts in Albuquerque, Rio Rancho, Hobbs, Taos, and Roy. A few of these districts and a growing number of new districts are utilizing course content, web-based tools, eTeachers, etc. provided through IDEAL-NM as part of their strategies to serve their students' eLearning needs.

The distance learning rules allow for creation of full-time, multi-district online schools. A new hybrid charter school, Taos Academy, will open in fall 2009, with intentions to use IDEAL-NM exclusively in the future. Applications for charter schools that include virtual schooling as a significant strategy have increased in New Mexico, and the Charter School Division of the Public Education Department that reviews applications has asked IDEAL-NM to work as a non-voting consultant on an as-needed basis.

## State policies

The Distance Learning Rule, New Mexico Administrative Code Title 6, Chapter 30, Part 8,<sup>242</sup> establishes requirements for distance learning programs taken for credit by students enrolled in a school district or charter school, and sets forth implementation of statewide e-learning courses via IDEAL-NM. It specifies that school districts cannot restrict student access to online courses. The intent of state rules is to engage the local school, community, and parents in the eLearning solutions for K-12 students. eLearning providers must work with a public school district, charter school or LEA. "School districts and charter schools providing distance-learning courses to students statewide shall enter into written agreements with students' enrolling districts or charter schools...."<sup>243</sup> An opinion from the Attorney General's Office issued in February 2008 found that New Mexico's open enrollment law does not apply to online schools and therefore does not conflict with the distance learning rules.<sup>244</sup>

The following policy provisions are based on the Administrative Code, legislation passed in September 2008, and distance learning rules.<sup>245</sup>

### Funding

\$7.5M was appropriated in FY 2007-08 to implement a statewide e-learning delivery system for K-12, higher education, and government agencies, including the procurement of a statewide LMS. Part of this funding was earmarked to leverage this system to offer a statewide virtual school, named the New Mexico Cyber Academy in the Act, but referred to as IDEAL-NM. \$2.0M was appropriated in FY 2008-09 for continued IDEAL-NM operations, including program and technology services. During the 2009 legislative session, NM introduced legislation that is referred to as the "Solvency Act". SB79 reduces appropriations with an applied 7% reduction in funding to IDEAL-NM, and required funding levels to remain flat for both the 2009-10 and 2010-11 school years. Although funding is frozen at around \$1.8M, there are currently no plans to cap enrollments. In August 2009, Governor Richardson announced the "Graduate New Mexico" initiative that includes an expansion of IDEAL-NM to make online courses available to up to 10,000 students that need to make up credits to graduate.

<sup>242</sup> New Mexico Administrative Code; 6.30.8.1 NMAC - Rp, 6.30.8.1 NMAC, 9-30-08, Title 6, Chapter 30, Part 8, New Mexico Public Education Department; retrieved August 10, 2009, <http://www.nmcpr.state.nm.us/nmac/partstitle06/06.030.0008.pdf>

<sup>243</sup> Ibid

<sup>244</sup> Letter from Assistant Attorney General Andrea Buzzard to New Mexico State Representative Al Park, "Opinion request—open enrollment and distance education," February 19, 2008

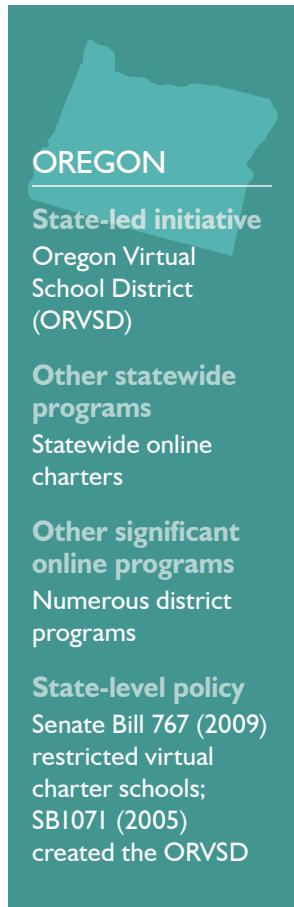
<sup>245</sup> Ibid

Public school students must have a primary enrolling, or resident district. Should a student enroll in a distance learning course offered by a district or charter school other than the student's enrolling district, any reimbursement for cross-district enrollment for distance learning courses shall be arranged between the districts or charter schools through signed written documents. Non-public<sup>246</sup> students with no enrolling district are allowed to enroll in distance learning options without a primary school district, but must pay a per course fee.

### **Governance, tracking, and accountability**

- “Qualified distance learning students participating in asynchronous distance learning courses must log on to their distance learning courses at least the same number of days per week as the traditional face-to-face classes occur at the schools in which they are enrolled, and certify that they are the enrolled students.
- While distance learning technologies may occasionally be used as full-time educational programming for students in unusual circumstances, asynchronous distance learning shall not be used as a substitute for all direct, face-to-face student and teacher interactions unless approved by the local board of education.
- Local distance learning sites shall provide onsite access to the necessary technology for participation in distance learning courses involving Internet-based instruction.
- Local distance learning sites shall provide accompanying electronic formats that are usable by a person with a disability using assistive technology, and those formats shall be based on the American standard code for information interchange, hypertext markup language, and extensible markup language.
- Each qualified distance learning student participating in a distance learning course or program shall be evaluated, tested and monitored and shall be subject to the statewide assessments as required in the Assessment and Accountability Act. No student shall be allowed to participate in the statewide assessments at a place other than a department authorized site.
- A qualified distance learning student may participate in and receive credit or a grade for a distance learning course that is at a different grade level than the student's current grade level. If allowed by district policy, a student may retake a course to earn a higher grade. However, credit cannot be earned twice for the same course.”

<sup>246</sup> Student enrollments not eligible for public funding (e.g. Students not enrolled in a public school such as a homeschool or private school student).



## Oregon

Oregon has a significant amount of online learning activity and programs: the Oregon Virtual School District (ORVSD) provides courses, content and teaching applications to 311 schools; about 6,000 students enrolled in nine virtual charter schools;<sup>247</sup> as well as a number of school district and Education Service District online programs, alternative education programs and a history of extensive discussions about online learning policy at the state level.<sup>248</sup> In 2009 Senate Bill 767 narrowly passed and created restrictions on virtual charter schools. The bill places a two-year moratorium on the growth of existing schools by restricting them to the student counts enrolled on May 1, 2009. Schools are allowed to enroll students above the cap if 50% of the students in the online school are resident in the district in which the school is chartered.<sup>249</sup> While this rule had existed previously, several online schools had either requested a waiver or had the rule waived due to having been in operation prior to the original rule's creation. The bill also created additional minimum standards that apply to virtual charter schools. In addition, the law created a task force to study online charter schools and report back to the legislature.<sup>250</sup>

### Online programs

The wide range of programs in Oregon includes district and Educational Service District programs such as Oregon Online, a program of Southern Oregon Education Service District; Salem-Keizer Online; and Corvallis Online (Corvallis Public Schools) serving over 4,000 students. Oregon State University partners with ORVSD by building and developing online courses and hosting ORVSD through the OSU Open Source Lab. The eCampus OSU K12 Education program

was closed, and most of the courses moved over to ORVSD. OSU Extension along with Portland State University Independent Study and Chemeketa Community College Early College offer dual credit early college programs for high school students. Full-time online charter schools include Oregon Connections Academy and Oregon Virtual Academy. Insight Schools of Oregon is a private alternative education program which contracts with various school districts to provide educational services.

The full-time online schools, particularly those operated by education management companies, are affected by the new law passed in 2009 and are responding in different ways. Both Oregon Connections Academy and Oregon Virtual Academy will continue to operate but will be capped at recent enrollment levels.

The Oregon Virtual School District is a resource for teachers to find and access courses, content, providers, and tools. The site includes links to the ORVSD-created course management system, the

<sup>247</sup> Retrieved July 24, 2009, <http://www.eschoolnews.com/policy/index.cfm?i=59410>

<sup>248</sup> Although now outdated, the Distance Education in Oregon Policy Brief, October 2004, provides a history of some of these efforts. Retrieved July 24, 2009, [http://www.ode.state.or.us/initiatives/elearning/ecs\\_policybrieffinal.pdf](http://www.ode.state.or.us/initiatives/elearning/ecs_policybrieffinal.pdf)

<sup>249</sup> This provision had previously existed but some online schools had been exempt from this requirement. Oregon Revised Statute (ORS) 338.125, section 5 (2)(b) states that "if a public charter school offers any online courses as part of the curriculum of the school, then 50 percent or more of the students who attend the public charter school must reside in the school district in which the public charter school is located." This had applied to charters established after September 2, 2005. Oregon Administrative Rule (OAR) 581.020-0339 (6), adopted in 2008, added a waiver provision, and subsequently the Oregon State Board of Education granted a 2-year waiver from the 50% rule to the Oregon Virtual Academy (ORVA).

<sup>250</sup> Senate Bill 767; retrieved July 24, 2009, [www.leg.state.or.us/09reg/measpdf/sb0700.dir/sb0767.intro.pdf](http://www.leg.state.or.us/09reg/measpdf/sb0700.dir/sb0767.intro.pdf)

ORVSD Content Library, podcasting services, video streaming services and a teacher professional development site through partnerships with WGBH Teacher's Domain and PBS TeacherLine. The ORVSD Repository offers teachers access to 110 middle and high school course templates, interactive learning objects and streaming video lessons for instruction. ORVSD does not register students, but students can use ORVSD to supplement their classes and access student ePortfolios. ORVSD currently serves 315 schools with 25,000 users. Teachers have used the portal to create 2,800 custom courses to supplement their curriculum.

Senate Bill 1071, passed in 2005, provides for the creation of the ORVSD within the Oregon Department of Education (ODE).<sup>251</sup> ORVSD initially received \$2 million for two years beginning July 2005 in a fund separate from standard FTE funding. The budget for two years beginning in July 2009 transferred \$1.8 million from the State School Fund to continue funding ORVSD operations. SB 1071 authorized the State Board of Education to create rules under which the ODE will establish quality criteria and policies for the ORVSD, including development and delivery of virtual content and teacher training. These are outlined in Oregon Administrative Rule chapter 581, division 20.<sup>252</sup> Quotes in the policies listed below come from this rule.

## State policies

The following policies are from Section 8, Enrolled Senate Bill 767 (2009) and ORS 342.173.

### Quality assurance, teaching, and curriculum

Teachers in virtual charter schools and school districts must be licensed and highly qualified.<sup>253</sup> Teacher licensing and professional development requirements are done by the Oregon Teacher Standards and Practices Commission.

- “Student/Teacher Ratio. Online learning providers are required to have guidelines in place for reasonable student to instructor ratios that allow for regular, individualized interaction with instructors.”
- “Student Teacher Interaction. Online learning providers are required to have guidelines in place for reasonable student to instructor communication that allow for individualized interaction with instructors as needed. Communication includes, but is not limited to, electronic mail, online discussion groups, telephone interaction and face to face discussions between teacher and student.”
- “Timeframe for Teacher Response to Student Questions. Online learning providers are required to have guidelines in place for the time and process that teachers will provide prompt response to student inquiries and requests for assistance.”
- “Online learning providers are required to have policies for teacher professional development. Teachers need to have appropriate training for the delivery of online instruction. Providers receiving public support must maintain Oregon teaching licensure for all teachers consistent with TSPC professional development requirements.”
- Courses must meet academic content standards. “Courses offered are governed by individual school district guidelines, including, but not limited to, courses meeting requirements for high school diploma, electives as well as supplementary instruction.”

<sup>251</sup> Senate Bill 1071, quotes in this section are taken from the law; retrieved July 24, 2009, <http://www.leg.state.or.us/05reg/measpdf/sb1000.dir/sb1071.en.pdf>

<sup>252</sup> Oregon Administrative Rule chapter 581, division 20; retrieved July 24, 2009 [http://arcweb.sos.state.or.us/rules/OARS\\_500/OAR\\_581/581\\_tofc.html](http://arcweb.sos.state.or.us/rules/OARS_500/OAR_581/581_tofc.html)

<sup>253</sup> Section 8, Enrolled Senate Bill 767 (2009) and ORS 342.173; retrieved July 24, 2009, [www.leg.state.or.us/09reg/measpdf/sb0700.dir/sb0767.intro.pdf](http://www.leg.state.or.us/09reg/measpdf/sb0700.dir/sb0767.intro.pdf)

UTAH
<b>State virtual school</b>
Utah Electronic High School
<b>Other statewide programs</b>
Utah Virtual Academy online charter school and the Open High School of Utah
<b>Other significant online programs</b>
At least 17 statewide district programs
<b>State-level policy</b>
No

## Utah

Utah has a state virtual school, the Utah Electronic High School (EHS) and two statewide online charter schools.<sup>254</sup> The Electronic High School is primarily a supplemental program working with local school districts, but is able to grant diplomas to a restricted group of Utah students: those who are homeschooled exclusively, those who have dropped out of school and their class has graduated, and district referrals. All of the courses are open-entry/open-exit. EHS started in 1994 as a statewide virtual school located at the Utah State Office of Education (USOE) which funded it via USOE funds. Legislation passed in 2001 started line-item funding. This annual line-item funding was \$1.3M for 2006, and \$2M a year for 2007, 2008 and 2009. Funding comes mainly from the \$2M state line-item budget. EHS does not receive or compete for weighted per-pupil state funding allocations with resident school districts. The EHS line-item allocation was one of only two programs not cut in the Education budget although other state funding for staffing was cut in half for 2009.

Between July 1, 2008 and June 30 2009, EHS granted 15,663 quarter credits to 7,216 individual students. To put this into perspective with similar programs, this is roughly the equivalent of 7,530 individual semester course completions. These numbers represent an annual increase of 4% in terms of course enrollments and 6% in terms of unique students. EHS implemented proctored final tests for every quarter credit granted beginning October 2007.

EHS will be launching an open source course content initiative in 2009 called the Utah Electronic High School Curriculum which will allow teachers anywhere to access EHS's courses and improve upon them in a free, open access framework.

The Utah Virtual Academy is the largest of Utah's online charter school programs, serving over 500 K-12 students. The Open High School of Utah, an open source online charter school initiated by professors at Utah State University, is enrolling 9<sup>th</sup> grade students statewide starting in the fall of 2009. Open High School of Utah is a charter school funded the same as all charter schools in the state. Three other online charter school applications are being considered for 2011 starts. Four districts offer online elementary courses with curriculum provided by K12 Inc. or by the local district: Davis Online, Alpine Online, Washington Online, and Uintah. The Park City Independent High School also offers online courses.

Brigham Young University runs the BYU Independent Study program that is accredited by the Northwest Association of Accredited Schools (NAAS) and the Distance Education and Training Council (DETC), allowing credits earned through BYU Independent Study to transfer to other educational institutions outside of Utah that share NAAS accreditation.<sup>255</sup>

<sup>254</sup> K12 Inc. press release; retrieved September 16, 2009, [http://www.k12.com/press\\_\\_policy/utva\\_press\\_release\\_092607/](http://www.k12.com/press__policy/utva_press_release_092607/)

<sup>255</sup> Brigham Young University Independent Study program; retrieved August 28, 2009, <http://ce.byu.edu/is/site/aboutus/accreditation.cfm>

# Washington

The Washington Legislature passed Senate Bill 5410<sup>256</sup> in May 2009, which created the Digital Learning Department<sup>257</sup> within the Office of the Superintendent of Public Instruction (OSPI). This new department was organized as a partnership between the Digital Learning Commons (DLC), a non-profit program that provided access to online courses and educational resources, and OSPI, with many of the DLC's activities and staff transferred to OSPI.

The bill directs the Digital Learning Department to provide:

- Information about and access to high-quality online course providers and online school programs.
- Access to online educational resources.
- A multi-district online provider review process to ensure continued access to quality programs and providers.
- Model agreements between school districts and online learning providers to increase the scope and reach of online learning options in the state.
- Model policies and procedures around online learning opportunities to guide school district boards of directors.
- A comprehensive report on the state of online courses and programs in Washington.

The Digital Learning Commons remains a non-profit organization, albeit with reduced services for the 2009-10 school year.

 <p><b>WASHINGTON</b></p>
<b>State-led initiative</b>
Digital Learning Department in the Office of the Superintendent of Public Instruction
<b>Other statewide programs</b>
At least ten statewide multi-district online programs
<b>Other significant online programs</b>
At least nine district-run programs for their students
<b>State-level policy</b>
Alternative Learning Experience (SB5828) and SB5410 Online Learning (2009) law

## Online programs

In 2008-09, school districts reported approximately 14,000 secondary students enrolled in one or more online courses for credit, which represented about 1.4% of the state's students.<sup>258</sup> Enrollments were largely flat in 2008-09 from the previous year, while the number of districts using online appears to be increasing. There are at least twenty online programs in Washington, with several providers managing these schools with district partners. Washington is one of 10 states that do not have a charter school law, and all of these programs are run by school districts. The report commissioned by the Washington State Legislature, due December 1, 2009, will provide more detailed information about the online programs and offerings in the state.

WaCOL (Washington Coalition for Online Learning) consists of educational providers and participants involved in digital learning programs in grades K-12 across the state of Washington. They foster conversation and communication on issues of common concern as well as methods of promoting improved understanding of virtual education in Washington.<sup>259</sup>

<sup>256</sup> Senate Bill 5410; retrieved July 30, 2009, <http://apps.leg.wa.gov/billinfo/summary.aspx?bill=5410>

<sup>257</sup> Office of the Superintendent of Public Instruction web site; retrieved August 24, 2009, <http://digitallearning.k12.wa.us/>

<sup>258</sup> Office of the Superintendent of Public Instruction web site; retrieved August 24, 2009, <http://www.k12.wa.us/EdTech/survey.aspx>

<sup>259</sup> Washington Digital Coalition; retrieved July 18, 2009, [http://groups.yahoo.com/group/WA\\_Digital\\_Coalition/?v=1&t=directory&ch=web&pub=group&sec=dir&slk=7](http://groups.yahoo.com/group/WA_Digital_Coalition/?v=1&t=directory&ch=web&pub=group&sec=dir&slk=7)

## State policies

### Quality assurance, teaching, and curriculum

The new Digital Learning Department has been charged with creating a set of criteria for approving multi-district online providers. The criteria will be finalized by December 1, 2009, and OSPI will make the first round of approval decisions by April 1, 2010.

Programs that are primarily online must be accredited through “the state accreditation program or through the regional accreditation program.” Alternative Learning Experience (ALE) online programs must provide an annual report that gives FTE enrollment, how students are evaluated, and how the program supports state and district learning objectives.

### Funding

School districts can currently claim funding for students in both Alternative Learning Experience online programs and in basic education models of using online courses/programs.

The approval process set up by SSB 5410 impacts funding for students in online courses beginning with the 2011-12 school year. Starting that school year, districts will receive funding for students in online courses or programs only if the course/program meets one of these criteria:

- Offered by an OSPI-approved multi-district online provider.
- Offered by the district itself to its own students and fewer than 10% of out-of-district students enrolling in the program under the ‘choice’ law.
- Offered by a regional provider operating under an inter-district cooperative agreement.

### Governance, tracking, and accountability

Senate Bill 5828, passed in 2005, helped to address online learning within the Alternative Learning Experience definition. The ALE rules provide a method for school districts to claim basic education funding for learning experiences that are conducted in large measure away from school, including online courses and school programs. SSB 5410 updated the ALE laws to ensure that it was consistent with the new definitions of online learning established by 5410. SSB 5410 also better defined the existing accreditation requirement for public school programs that are primarily digital or online.

Local school boards must adopt policy governing implementation of ALE programs, including online learning programs. There are additional local board policy requirements for districts contracting out for online learning programs. “Certificated instructional staff” must provide “supervision, monitoring, assessment, and evaluation” of the program. Programs must use “reliable methods to verify a student is doing his or her own work.” Each online student must have “a learning plan that includes a description of course objectives and information on the requirements a student must meet to successfully complete the program or courses.” Students must have “direct personal contact” with an instructor weekly; direct personal contact in an online program may include “telephone, e-mail, instant messaging, interactive video communication, or other means of digital communication,” if explicitly authorized by local school district policy.

# Wyoming

The Wyoming Department of Education (WDE) established the Wyoming Switchboard Network (WSN) in 2008-09 in response to Senate Bill 0070<sup>260</sup>, which was based on recommendations from the Wyoming Distance Education Task Force convened in 2007. The Switchboard acts as “the central collection of distance education resources available to Wyoming students, parents, instructors, school districts, and DE program providers” and provides access to:

- “Current distance education courses available to K-12 students
- Information about the various DE program providers
- Distance education resources, research, and best practices.”<sup>261</sup>

In accordance with two new distance education statutes,<sup>262</sup> online learning in Wyoming is overseen at the state level through the implementation of the Chapter 41<sup>263</sup> Distance Education Rules.

## Online programs

Two school districts will continue to operate existing statewide online programs: The Fremont County School District #21’s Wyoming “e” Academy of Virtual Education (WeAVE) serves both full-time and supplemental online high school students, and Campbell County School District #1’s Wyoming Virtual School (WYVS) serves full-time elementary students. Additional statewide full-time online programs are planned for the 2009-10 school year: Jackson Hole Connections Academy in Teton County School District #1, the Wyoming Virtual Academy from Niobrara School District #1, and Evanston Virtual High School in Uinta County School District #1. All of these programs have been approved by the Wyoming Switchboard Network.

## State policies

Wyoming Statute 21-2-202(a)(xxxi) charges the Department of Education to:

- Establish a state network of distance education courses that meet state standards for course content and delivery by Wyoming-certified teachers;
- Provide training and technical assistance to school districts for the delivery of distance education;
- Monitor the design, content, delivery and the accreditation of distance education programs provided by school districts;
- Establish criteria and necessary components of individual student distance learning plans; and

**WYOMING**

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**State-led initiative**  
The Wyoming Switchboard Network (WSN) coordinates distance learning among districts

**Other statewide programs**  
Five online programs will be in operation in 2009-10 including three new programs

**Other significant online programs**  
Several small district programs

**State-level policy**  
Chapter 41 Distance Education Rules, Wyoming Statutes 21-2-202(a)(xxxi) and 21-13-330

<sup>260</sup> Wyoming Senate Bill 0070; retrieved July 17, 2009, <http://legisweb.state.wy.us/2008/Bills/SF0070.pdf>

<sup>261</sup> Wyoming Department of Education, The Wyoming Switchboard Network; retrieved July 17, 2009, <http://www.k12.wy.us/TCD/WSN/index.asp>

<sup>262</sup> Wyoming statutes: W.S. 21-2-202(a)(xxxi) and W.S. 21-13-330, <http://legisweb.state.wy.us/statutes/compress/title21.doc>; retrieved, July 26, 2009

<sup>263</sup> Wyoming Department of Education; retrieved July 26, 2009, <http://soswy.state.wy.us/Rules/RULES/7334.pdf>

- Implement a reporting process to meet federal and state funding requirements and establish necessary data collection instruments and systems to monitor and improve distance education programs statewide.

Per Wyoming Statute 21-13-330, local districts where the students reside will:

- Complete a distance learning plan for each student and ensure the plan is in compliance with criteria established by the Department of Education;
- Assign each student to a school within the district offering appropriate grade level instruction if the student is not physically attending a school within the resident district and the district has not entered into an agreement with a nonresident district of this section for that student;
- Monitor each student's progress as measured by his distance learning plan and in accordance with the district's assessment policies, administer or ensure participation in required student performance evaluations and assessments at the same intervals required of other students at the participating student's grade level;
- Facilitate necessary instructional support for the student and notify and assist any student not performing satisfactorily or failing to achieve performance benchmarks established within his distance learning plan;
- Maintain the student's records within the district's permanent student data system including his district learning plan, equivalent attendance as specified by his plan, assessment and other performance evaluation data, immunization and other information required by the district;
- Verify the distance education program received by the participating student complies with and fulfills the state education program and that the program otherwise meets district program standards;
- Restrict the student's distance education to programs approved by the Department of Education.

Effective the 2008-09 school year, the Wyoming Department of Education promulgated Rules and Regulations that govern the processes and procedures of distance education within the state. The following information and quotes are from either the Wyoming Senate Bill 0070 or the Distance Education Program Rules for Wyoming's K-12 Students.

## Funding

Wyoming Statute 21-13-330 and the Chapter 41 Distance Education Rules establish policies for funding distance education course enrollments:

- The ADM for a distance learning student remains in the resident district in which that student is enrolled (the student's home district)<sup>264</sup> and is based on the completion of the DE Milestones (course objectives) documented in the student's Distance Learning Plan (DLP).
- A MOU (Memorandum of Understanding) between the resident district and nonresident district (provider of online learning courses through the WSN) will be used to establish a funding agreement between the districts. The state does not split the funding between the districts, nor is there any established percentage provided.

<sup>264</sup> Rules and Regulations for the School Foundation Program (Section 10e), <http://soswy.state.wy.us/Rules/RULES/7210.pdf>

- It is up to the districts, acting as equals, to agree in advance on how funding is to be applied. The responsibilities of each district must be outlined in the MOU, as well as a conflict resolution agreement.
- The MOU is initiated by the nonresident district and covers “a period not to exceed one year.”
- The original MOU shall be on file at the nonresident district, with a digital copy submitted to both the Department and resident district.

An additional \$250,000 in annual funding to assist distance education providers with the development and maintenance of courses is included in the WSN. This funding is available through the Wyoming Distance Education Grant (DEG) Program, which is open to all Wyoming school districts, community colleges and the University of Wyoming.

The legislation states, “Each student participating in distance education offered by the school district of residence shall be included within the average daily membership (ADM) of the resident district as computed under the education resource block grant model regardless of the origination of the district providing the distance education program for the student. The membership for a distance education student shall be prorated at less than one (1.0) ADM if the number of distance education courses in which enrolled is less than the regularly scheduled courses for that school, but the distance education program membership may be combined with any non-distance education membership to result in a larger fractional ADM not to exceed one (1.0) ADM. A resident district may through agreement provide for a student to participate full-time in distance education offered by a nonresident school district whereby the student is counted among the membership of the nonresident district... and the resident district removes the participating student from its membership for the period of time the student participates full time in the distance education program of the nonresident district.”

### **Governance and tracking**

- The nonresident district shall collect and report to the Department:<sup>265</sup>
  - Course completion rates and information for each course offered on the WSN.
  - Internal survey results if available.
  - Reports required by the Distance Education Grant (DEG).
- The Department of Education shall:
  - Monitor student distance education enrollment information.
  - Annually survey district superintendents concerning their distance learning needs and instructional availability.
  - Annually survey the nonresident distance education provider’s administrators, instructors, and students concerning the quality and effectiveness of programming available through the WSN.
  - Compile Department survey results and present a summary reporting to the State Superintendent of Public Instruction and the Wyoming Legislature.
  - Provide a summary of distance education course(s) available on the WSN.

<sup>265</sup> Wyoming Department of Education, The Wyoming Switchboard Network; retrieved July 26, 2009, <http://www.k12.wy.us/TCD/WSN/index.asp>

- Present a compilation report on the information collected from WSN distance education providers utilizing the DEG program.
- Students enrolled in distance education courses must satisfy Wyoming compulsory attendance requirements by “completing the milestones outlined in the student’s distance learning plan,” and are not to be exempt from state, local or district assessments.
- Chapter 41 Distance Education Rules assign the responsibility of student performance, accountability, state and local assessment results, and adequate yearly process (AYP) to the resident district.
- The Department of Education will establish a multi-step approval process, including “a course application that includes course taxonomy, course scope, standards alignment, and/or course quality verification” for each course submitted for approval.
- Teachers must be employed by the school district supplying distance learning courses to WSN, or by a Wyoming community college or university.

## Appendix A: Methodology

The information found in *Keeping Pace* 2009 came from two primary data-gathering efforts: the first a web-based program survey, and the second a combination of Internet research and phone interviews with personnel from state education agencies and other organizations.

The survey was designed to gather information from a variety of K-12 online learning programs, including state virtual schools, full-time and supplemental programs, charter schools, and district-level programs. The survey was distributed through posting on a discussion board of the International Association for K-12 Online Learning (iNACOL), by email from iNACOL to many of its members, and by email directly to many programs known by *Keeping Pace* researchers. The survey contained extensive questions about the type of program, number of students, teachers and teaching practices, and student demographics.

Survey results were used in two ways: first, to provide part of the data underlying the “questions and answers” discussion, and second to create the program profiles. A total of 147 surveys were completed. Because very few formal reporting requirements for online programs exist, the self-reported program survey data were not independently verified against other information sources.

For state policies, research and reviews of state laws were combined with interviews of education agency personnel. For states with little new activity in 2009, in many cases personnel reviewed and made minor changes to program profiles presented in *Keeping Pace* 2008. For the states that had passed new laws, or for which *Keeping Pace* had incomplete information in 2008, the profile was created for the first time. In most cases, the state education agency reviewed the final version of the profile for accuracy.

In a field that is growing and changing as rapidly as online education, timeliness of information is imperative, and indeed timeliness has been one of the drivers of interest in *Keeping Pace*. Research for this year’s report was conducted from May through mid-September of 2009, and every effort has been made to ensure currency of information as of September 1, 2009.

In addition to the methods discussed above, the sponsoring organizations for *Keeping Pace* provided extensive expertise and knowledge of the state of online learning across the country. This report would not be possible without their thoughtful contributions, and expertise. Any errors or omissions, however, are fully the responsibility of the Evergreen Education Group.





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